



Agenda

Oxford City Council

Court House

TUESDAY, MAY 5, 2015

EXECUTIVE SESSION

None.

1. Roll call. Kevin McKeehan, Mayor; Kate Rousmaniere, Vice-Mayor; Mike Smith; Bob Blackburn Steve Snyder; Richard Keebler; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation - "NALC Food Drive Day"



Proclamation

B. Public Comments.

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

4. Consent Agenda.

A. Minutes of the April 21, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the April 15, 2015 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

C. Report regarding the April 22, 2015 Civil Service Commission Meeting. (Donna Heck Heck, Human Resources Director)



Report

D. A Resolution declaring certain City property no longer needed for municipal purposes as surplus and authorizing its advertisement and sale to the highest bidder at public auction. (Bob Holzworth, Police Chief)



Staff Report/Resolution

E. A Resolution authorizing the acceptance of the bid of Synagro-Central, LLC for the land application of bio-solids in an amount not to exceed \$28,530.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

1. A Resolution in support of abolishing corporate constitutional rights and creating a truly representative democracy. (Councilors Snyder and Rousmaniere)



Staff Report/Resolution/Supporting Documents

2. A Resolution authorizing the City Manager to enter into an agreement with FYDA Freightliner Cincinnati, LLC for the purchase of a 2015 M2 106 cab and chassis at state contract pricing at a cost not to exceed \$56,591.00. (Mike Dreisbach, Service Director).



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into an agreement with Middletown Ford, Inc. for the purchase of three (3) 2015 Ford trucks and specified with 30-day tags at state contract pricing at a total cost not to exceed \$79,575.66. (Mike Dreisbach, Service Director).



Staff Report/Resolution

4. A Resolution declaring certain City property no longer needed for municipal purposes as surplus and authorizing its advertisement and sale to the highest bidder at public auction or internet auction. (Mike Dreisbach, Service Director).



Staff Report/Resolution

5. A Resolution authorizing the City Manager to enter into an agreement with the Ohio Attorney General's Office for debt collection services. (John Detherage, Fire Chief).



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Approving The Proposed Preliminary Subdivision Application For The Fields At Southpointe With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - May 6 Historic and Architectural Preservation Commission Work Session 6:00 p.m.

THUR - May 7 Community Relations Commission Meeting 4:00 p.m. Municipal Building

TUES - May 12 Planning Commission Meeting and Work Session 6:30 p.m.

WED - May 13 Environmental Commission Meeting 7:00 p.m. (Rescheduled from May 6th)

MON - May 18 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

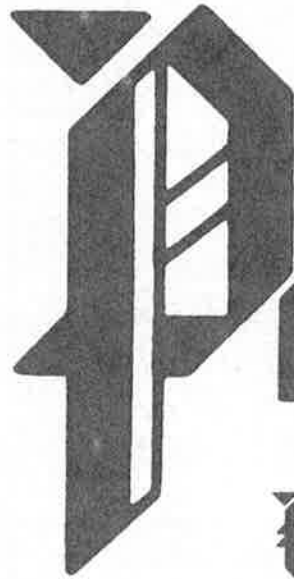
TUES - May 19 City Council Meeting 7:30 p.m.

WED - May 20 Board of Zoning Appeals Meeting 7:30 p.m.

MON - May 25 Holiday - City Offices Closed

WED - May 27 Civil Service Commission Meeting 6:00 p.m.

8. Adjourn.



Office of the Mayor

Proclamation

Whereas:

the National Association of Letter Carriers have designated the day of May 9, 2015 as the twenty-first annual "Stamp Out Hunger Food Drive" day; and

WHEREAS, the NALC Food Drive collected a record of 73 million pounds of food nationally and 37,912 pounds of food in Butler County in 2014 and over 1.167 million pounds since 1995; and

WHEREAS, thousands of families caught in the slow economic recovery will have access to this needed and nourishing food through Shared Harvest Foodbank's network of food pantries; and

WHEREAS, the AFL-CIO, Shared Harvest Foodbank, Feeding America and countless community volunteers will lend assistance to this charitable endeavor with the United States Postal Service encouraging and supporting this one day drive.

NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford, Ohio, to assist public awareness of this nationwide endeavor to care for our own, do hereby proclaim Saturday, May 9, 2015 as:

**"THE NATIONAL ASSOCIATION OF LETTER CARRIERS
FOOD DRIVE DAY"**

FURTHER, on behalf of all Municipal Officials and Administration, do request all citizens of our community to support the efforts of this national annual drive by placing non perishable food by their mailboxes on May 9, 2015 to help meet the needs of our neighbors locally.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 1st day of May, 2015.



KEVIN D. MCKEEHAN, MAYOR

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, April 21, 2015 at 7:30 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION **'ARBOR DAY'**

Mayor McKeehan read the Proclamation and presented it to Ms. Rousmaniere who is Council's representative on the Environmental Commission.

PUBLIC COMMENTS

Ms. Prue Dana, 6314 Fairfield Road, advised she represented the Lane Library Levy Committee and she and her husband were Chairs of the Oxford branch of the levy effort. Ms. Dana encouraged everyone to vote yes on May 5th for Issue 3 which was a .75 mil levy that would extend for 10 years to support operating expenses for the Lane Libraries. Ms. Dana noted the committee would appreciate everyone's support.

Mayor McKeehan thanked Ms. Dana for her comments noting the levy was a renewal and not a tax increase.

Mr. Jerry Flyr, Fairfield, Ohio, advised he was representing the Church of Jesus Christ of Latter Day Saints to invite Oxford to participate in the Feed Ohio Campaign. Mr. Flyr noted Governor Kasich signed off on this initiative in February and asked municipalities to issue Proclamations to invite people of various organizations to conduct a Feed Ohio Campaign of their own. Mr. Flyr advised last year the church here in conjunction with the Oxford Bethel AME Church collected over 1400 pounds of food and donated it to the Oxford Community Choice Pantry. Mr. Flyr noted each area including Hamilton, Fairfield, Mason and West Chester picked a pantry to target and help collect food for.

Mr. Flyr advised in 2014, the second year of this endeavor, 170,000 pounds of food was collected throughout the state to give to food pantries and monetary contributions totaled over \$84,000. Mr. Flyr noted the campaign had grown successfully since its inception. Mr. Flyr advised his purpose tonight was to invite the City of Oxford to issue a Proclamation sometime this summer based on the document he provided the Clerk, publicize it, and invite groups to collect food for the pantry of their choice.

Mayor McKeehan thanked Mr. Flyr for making Council aware of this effort and noted the Oxford Community Choice Pantry did a fine job but could always use more donations.

CONSENT AGENDA

MINUTES

Minutes of the April 7, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the April 1, 2015 Historic and Architectural Preservation Commission Meeting. Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the April 1, 2015 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Keebler moved to approve the consent agenda. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION

MOON COOPERATIVE SERVICES, INC.

A Resolution No. 4909 authorizing the City Manager to refinance the existing Moon Cooperative Services, Inc. Revolving Loan Fund loan. (Alan Kyger, Economic Development Director)

Mr. Kyger advised a year ago Council approved a one year extension of an interest only loan for Moon Co-Op and that was getting ready to expire. Mr. Kyger noted the Community Improvement Corporation (CIC) reviewed the loan and the possibility of refinancing it to make it more advantageous for Moon Co-Op. Mr. Kyger advised after several meetings with officials from Moon Co-Op, the CIC Loan Review Committee and the CIC, the following recommendations were made: refinance the loan from 5 years to 10 years, lower the interest rate from 3% to 1.5%, and the minimum monthly payment would be \$700 verses approximately \$500. Mr. Kyger noted at the end of 12 months, the loan would be recalculated based on the principle at that time. Mr. Kyger advised representatives from Moon Co-Op were in attendance.

Ms. Bernadette Unger, advised she was on the Board of Directors for Moon Co-Op. Ms. Unger thanked Council for considering the refinancing proposal and for being diligent with regard to the Revolving Loan Fund loan.

Ms. Unger noted she was very excited that things were constantly improving at the store and the majority of that was due to their General Manager, Tanna Richards who was an Oxford resident. Ms. Unger advised Moon Co-op was proud that they had been able to provide so many local jobs and Ms. Richards would speak to that.

Ms. Tanna Richards, advised she had lived in Oxford most of her life. Ms. Richards noted Moon employed 14 people 3 of which were full-time including herself and the Deli Manager, Lori Princell. Ms. Richards advised there were 11 part-time positions 1 student on staff and the rest were local community members. Ms. Richards noted Moon supported over 56 local vendors which changed month to month depending on who had produce which gave Moon over 400 local items to sell. Ms. Richards advised Moon was an intricate part of the local economy.

Ms. Unger noted in addition to the 400 local items Moon was a full service grocery store. Ms. Unger advised Moon was on the forefront of helping to resurge energy into the geographic center of Oxford and they looked forward to the continued revitalization of the City's core and provide healthy food for the community. Ms. Unger thanked Council for reconsidering the loan. Ms. Unger and Ms. Richards distributed menus from Moon's deli to Council, staff and members of the audience.

Ms. Rousmaniere asked Mr. Kyger to provide the history of the Revolving Loan Fund and inquired if there were minimum interest rates or other variables that Council should be aware of. Mr. Kyger advised typically a Revolving Loan Fund loan was below market rate on interest. Mr. Kyger noted the purpose of the fund was to provide gap financing for new businesses that could not obtain full financing from a bank. Mr. Kyger advised 10 years was the longest the CIC wanted to recommend for the loan since the only collateral was equipment. Mayor McKeehan noted he assumed Moon Co-Op was up to date on all of their payments and Mr. Kyger advised yes.

Mr. Snyder moved to adopt Resolution No. 4909. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

PRELIMINARY SUBDIVISION

An Ordinance Approving The Proposed Preliminary Subdivision Application For The Fields At Southpointe. **(Continued from April 7, 2015)** (Jung-Han Chen, Community Development Director)

Mr. Chen advised the first reading of this case was continued based on comments from Council and the applicant made some modifications as shown on page 26 of Council's packet. Mr. Chen noted the mid-block pedestrian path was re-aligned to create a direct alignment, alley "D" was eliminated and lots 82 and 83 were reconfigured to keep the buildable areas of the lots out of the proposed conservation easement.

Mr. Chen advised he met with the City Manager, Service Director and Law Director and they drafted 7 conditions to add to the proposed Ordinance for Council to consider as outlined on pages 26 and 27 of the packet.

Mr. Chen highlighted some of the conditions noting that parking would be restricted on one side of the streets to allow two way traffic, easements must be separated from the buildable areas of the lots and an analysis must be submitted in accordance with section 1101.402 of the subdivision regulations. Mr. Chen added that the temporary egress/ingress must be shown on the plan.

Ms. Etta Reed, Bayer Becker, 318 S. College Avenue, noted she was in attendance on behalf of the applicants and the applicants were in attendance if Council had any questions for them. Ms. Reed advised she and the applicants were at the last meeting and heard Council's concerns. Ms. Reed noted she believed they addressed all of Council's concerns and they read the staff report and were fine with all of the conditions staff suggested be placed on the proposed development.

Ms. Kathleen Zien, Joseph Drive, read the following (in part) into the record 'Every review by Planning comes to Council for its next step and arrives here with or without endorsement. Five of seven Planning Commission members didn't approve this plan. As the first board of review they hashed this out over an hour, it was not a cavalier decision. Why should their deliberation efforts be second guessed? If a Councilor who serves on Planning previously might have approved something just to move it to Council's table that was un-necessary it comes here anyway. After re-thinking over the past month and can admit it wasn't really a good idea, you have every right to deny it with your Council vote. There's no obligation to continue down the wrong path. If in good conscience you find you're now opposed to it you're not married to an idea if it's bad. Get out of the engagement before the wedding. At the last meeting the developer sat in the front row without comment. He didn't offer nor did Council ask appropriate questions. The more he's silent the less you know. It's Council's obligation to pursue, not wait for answers, but ask focused questions in the first place. The first reading is always the time to iron things out, by the second reading it's too late for research. The developer initially did nothing to assure adequate parking and a traffic safety to accommodate 600 vehicles, a conservative estimate for 664 projected students. Parking, street use and safety shouldn't be insignificant afterthoughts but at the forefront. There was no provision for viable parking solutions on paper much less in actuality. That solution shouldn't be dumped in the lap of the City Engineer to figure out. Their choice of meeting only bare minimum requirements shouldn't mean you settle for minimum standards. With a job evaluation isn't it preferred to exceed standards as an employee? If you expect minimum the best you'll ever get is mediocre. If the applicant drove through Oxford they'd drop the ill advised argument of need seeing an over abundance of for rent and available housing we've had for years. If they ignore our student housing surplus they disregard true community needs. Oxford isn't desperate to develop 37 acres Trinitas is. You're obligated to vote on merit and compliance this provides neither. It defies zoning, doesn't have merit nor fill our needs. The out of state developer knows it, so must the attorney representing the property owner or he wouldn't have suggested required elements of the application were irrelevant and chose not to provide them at the last meeting. Oxford will be the only Ohio property in this developers Midwest portfolio. The value to them of a student compound is likely a property to be flipped. Last October this company sold off 3400 beds valued at 230 million dollars. Their website is proud to say the largest student housing transaction of 2014. Don't be fooled by the phrase HOA.

To those who are homeowners a HOA equates to owner occupied costs as in a West Chester townhouse. A HOA for Southpointe is glorified initials for assessed maintenance fees for transient student renters and not owners. It's not a plan in concert with suitable housing style for the zone it's in. If Council doesn't see a glut not a limited number of duplexes defies R2A zoning with this proposal then when? Any reasonable person knows that limited means limited not 94% duplex use. There is no excuse for that submittal. If any Councilor is thinking of approving this you must tell us how 94% can in anyway be justified as a limited number. If the developer wants a project desperately enough to get into Oxford and apparently they do, they'd follow our rules and not their wish list that avoids zoning specifications. If you deny this preliminary plan they can do two things, back off and back out of Oxford, or if they want to be here badly enough they'll do it right. At this point however, they prefer to defy zoning. They can re-apply with a project that comes back to Planning not in violation of code but with appropriate occupancies, suitable streets and guaranteed green space that isn't token acreage. At the last meeting a readjustment of north south borders added one acre of land. Since when does acreage get rearranged like puzzle pieces to suit developer needs verses the specifications of the conservation land trust. The homes on my Joseph Drive are .25 acre lots. Picture four of those back to back that's the token one acre that will be provided. If they are the professionals we hope anyone is that comes with an application they'd withdraw a plan that focuses only on students. They said only student housing gives them the financial return they need. That's not your problem Council. It has never been any board's responsibility to guarantee income or profit for an applicant. Oxford has demonstrated a need for affordable housing, real single-family and senior housing. If project financing is being solicited to a local bank perhaps one Councilor will have to recuse. If the City Manager has encouraged Council to approve this, his judgement may also come into question. He is not a Planner with AICP initials nor qualified to offer anything but subjective opinion. He also did not attend the Planning Commission meeting. Any comments he may have offered to Council should be submitted and on the record. If any Councilor is sitting on the fence, do what's right not what's easy. Each of you should give detailed justification why you would approve or rightfully deny. If Trinitas wants to do it right and not make resident or City enemies from the git go by ignoring City code it is your right as Councilors to see that happens. If not you let the bullies play through. Don't rationalize that building is inevitable, it's not, especially with a bad plan. I can't think of any recent project before Planning or Council that would have had such a negative impact. This isn't a case of build by right, not only because it is wrong, but it's in the wrong residential zone for 94% duplexes. We deserve better and I hope Council doesn't settle and sell us short for the sake of convenience.'

Mr. Keebler referred to pages 26 and 27 of Council's packet and advised the suggested conditions for approval should be incorporated into the Ordinance as well as one for a temporary egress.

Mr. Keebler moved to incorporate the original 7 conditions plus the temporary egress into the final Ordinance. Mr. Snyder seconded. The motion passed 7-0-0.

Mr. Keebler proposed two additional conditions.

Mr. Keebler moved to add condition 9. As dwellings along street G backing up to Corporate Woods Drive and Southpointe Parkway are constructed the owners shall be required to install landscaping to form a screen at the rear property lines. And condition 10. If and when a roadway is constructed along the eastern property boarder the HOA shall be required to install landscaping along the right-of-way to form screening behind the adjacent alleyways. Mr. Snyder seconded. The motion passed 7-0-0.

Ms. Rousmaniere inquired if the City could ask for a new traffic study based on the addition of 600 vehicles in the proposed subdivision. Mr. Chen advised Bayer Becker did the traffic analysis for the proposed development project and no issues came out of the analysis. Ms. Rousmaniere asked the City Engineer for more information. Mr. Popescu advised this was a state highway and ODOT did the traffic counts. Mr. Popescu advised the latest counts the City had were from the intersections of US 27 and SR 130 and US 27 and Chestnut Street. Mr. Popescu noted between those two intersections vehicles were 'lost' due to them turning off of the highway and the number of vehicles in the proposed subdivision would never come close to the number of 'lost' vehicles. Mr. Popescu advised the improvements to US 27 S. would improve the mobility on the highway.

Mr. Snyder asked staff or Council to address the issue of 94% duplexes in the proposed subdivision noting the code was ambiguous. Ms. Rousmaniere read the purpose of the R2A (Single and Two Family Residential) District as follows: "This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences". Mr. Elliott advised a number representing 'limited' was not defined and he was not in Oxford when the legislation was adopted. Mr. Elliott noted he believed staff and Council wanted some flexibility. Mr. Elliott advised the term 'limited' could be defined as long as it was not arbitrary. Mr. Snyder inquired if the proposal on the table met the requirements of the R2A District. Mr. Elliott advised the preliminary subdivision application divided the land into lots and at some point the developer would submit building plans that would be reviewed by the Planning Commission and Council. Mr. Snyder inquired if 94% met the requirement for a limited number of duplexes. Ms. Rousmaniere advised it was her understanding that there was not a legal definition for 'limited'. Mr. Keebler noted the last subdivision approved in Oxford was 100% duplexes in a R2MS District. Mr. Keebler noted that was one subdivision in a larger zone and it did not represent 100% or 94% of the zone. Mr. Keebler advised he felt defining the number of duplexes would make it more difficult.

Mr. Travis Vencel, Trinitas Development, LLC, advised each lot met the standards of the code and what would be built on those lots had not been determined.

Ms. Rousmaniere reminded Council how they got where they were with the issue before them. Ms. Rousmaniere advised in April 2014 Council voted to rezone the property on which the subdivision was proposed from OI to R2A. Ms. Rousmaniere noted Council did that based on the request of the single owner of the property, Jim Clawson, who she understood bought the land on speculation a bypass would be constructed on the property. Ms. Rousmaniere advised because of citizen participation and engagement the bypass was rejected and the property owner was left with a lot of land zoned for office and light industrial which he could not rent or sell. Ms. Rousmaniere noted on the request of the single land owner Council rezoned the land on which a subdivision is proposed from OI to R2A.

Ms. Rousmaniere advised in presentation the agent for the property owner, Scott Webb, said specifically the land would not be used for student housing and that it was a good case for conservation development. Ms. Rousmaniere noted Council and Mr. Keebler in particular felt it was very important that when the land was developed it would be the kind of development Council and the citizens wanted. Ms. Rousmaniere advised a few months later the property owner and agent came back with Trinitas, a company whose expertise was student developments. Ms. Rousmaniere noted Trinitas presented a Planned Development and when Council debated the Planned Development it was she who said Mr. Vencel was threatening Council that if they did not approve the Planned Development he would come back with a less attractive proposal as a subdivision and they would have to approve it. Ms. Rousmaniere advised now Council was faced with a development that no one she had talked to wanted or liked. Ms. Rousmaniere expressed her disappointment and frustration noting there was an election coming up in the fall and Council would like to have three people run for City Council. Ms. Rousmaniere advised this situation made Council look ineffective and like they couldn't do anything so why run for City Council if they had to adopt something they didn't approve of. Ms. Rousmaniere noted this experience made her untrustworthy of other development processes that may come forward and she was trying to think of how to proceed. Ms. Rousmaniere advised there was not a lot of land left to be developed in the center of the City and she suspected more of these types of threats to develop large complexes on the edge of town would be proposed. Ms. Rousmaniere proposed to Council, the City Manager and staff that a smart growth plan for the edges of the City be developed that incorporated conservation development. Ms. Rousmaniere noted such a plan was drafted called Shaping Our Sustainable Communities – A Plan for the South Side of Oxford and it was approved in 2011 by a group of community members who developed it. Ms. Rousmaniere advised the plan was introduced to Council last month and the City Manager expressed concern that even as a reference document to the Comprehensive Plan it was not representative of the full Comprehensive Plan process. Ms. Rousmaniere noted Mr. Webb criticized the plan as an academic process. Ms. Rousmaniere advised over 100 citizens voluntarily worked on the plan for two years. Ms. Rousmaniere inquired what we were going to do to shape our community and who would be asked to drive the shaping of our community, citizens or a developer with an economic interest. Ms. Rousmaniere suggested a plan, method and approach be developed quickly.

Mr. Blackburn noted he felt 'limited' should be 50% or less and 94% was unlimited. Mayor McKeehan advised the preliminary subdivision application did not address any type of units, just lots.

Ms. Southard echoed Ms. Rousmaniere's comments and reminded everyone when Council rezoned the property from OI to R2A it was said that Council couldn't hold the developers hostage. Ms. Southard inquired who was holding who hostage now. Ms. Southard noted she wished the City's codes, regulations and guidelines were in sync with the Comprehensive Plan and she hoped that goal could be achieved.

Mayor McKeehan advised as far as he was aware Council had only been misled by one individual regarding this matter and it was not Mr. Vencel. Mayor McKeehan noted he was in favor of free market and fair market. Mayor McKeehan advised if someone wanted to attempt a business or an operation it was their money and their right. Mayor McKeehan noted he had only heard from three citizens in Oxford who opposed the preliminary plan.

Mayor McKeehan advised most people were mystified by someone wanting to build more student housing when it clearly was not needed.

ORDINANCES
SECOND READING

ORDINANCE
OVERLAY DISTRICT

An Ordinance No. 3311 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-2A (Single And Two Family Residential) District For 66 Parcels Located On Dana Drive, David Drive, Marcia Drive and Glenview Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the first reading of the proposed Ordinance. Mr. Chen noted the petitioned area was shown on page 73 of Council's packet and the Planning Commission recommended approval.

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

Mr. Snyder moved to adopt Ordinance No. 3311. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit To Permit First Floor Vacant Space To Be Used As An Accessory (Exercise/Study Room) In An Existing Mixed Use Building In The Uptown (UP) District At 7-9 West High Street With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the first reading of the proposed Ordinance.

Kathleen Zien, Joseph Drive, read into the record (in part) as follows: "Why would this request for an accessory room for residential use on the first floor behind business storefronts ever be appropriate? Beyond the obvious violation it requests what amounts to internal rezoning for residential use. At the Planning Commission meeting Ms. Rousmaniere asked how a person could study when you were in or next to the distraction of an exercise room."

The reply was the two areas would be separated by a wall. Why bother with any space change-over for any kind of residential use in what should be and what was designed and previously approved by two boards for only commercial use. We were told the two businesses at 7-9 W. High Street don't need the available room for storage and are self contained within their store footprint. With the frequent turn-over we have of Uptown retail and restaurants the likelihood of another restaurant, boutique or store is predictable, those shops won't be there forever. A future tenant may want and need back-up storage. Then what, the owner has to dismantle a study or exercise room with equipment at his cost again? Something doesn't seem right here nor did the proposal a month ago. I still question the request for a residential accessory room on ground floor retail space. What's the hardship for the owner to leave it vacant? Why spend money on a retro-fit – walls, paint, hardware, light fixtures, flooring, tables, chairs, exercise equipment and labor? Ask the applicant how many rental apartments are available above 7-9 W. High Street. Are they all occupied? If so an exercise or study room aren't golden perks to lure tenants. If not there must be something about the apartments that prevents occupancy. Students seem to enjoy living above noise and High Street traffic with 18 wheelers passing under their window on a designated state route. They should be fully rented with a waiting list. If Uptown students needed space outside their apartment to draft a term paper at least 4 dozen buildings would be requesting study rooms separate from living spaces and that's not happening. If there was an up-charge or rent increase to use the accessory rooms students would opt-out. If it was only an exercise room how could it compete with a recreation center open 18 hours a day, a half mile from High Street with a pool, track, multiple work out areas, ball floors and dozens of pieces of maintained equipment. This request doesn't sound or feel right. The owners from Xenia, Ohio aren't here to supervise use. When the applicant was questioned by the Planning Commission how we would know if this was used as a party room the response was neighbors might complain – who – another Uptown business – not likely. What happens in that room or rooms will never be monitored. The second response was the building is inspected annually. NIC doesn't keep night-time party hours. From what I'm told about NIC inspections they are not very thorough. Why should any portion of ground floor which may be vacant now be converted to anything but commercial use. Council should never agree to residential use for any purpose even if it's closet size in the ground floor commercial space in the business district, period. The request for conditional use is un-warranted and sets a dangerous precedence. I also ask why there are no comments from Economic Development on page 117. If I was sitting on your platform I'd do more questioning than has been done thus far. Nothing is too stupid to ask. Now is the time to do it."

Mr. Snyder noted the space could not be made a commercial space because the entrance was on an alley which Council did not allow another business to do a while back. Mr. Chen advised the space was intended to be used by either of the tenants.

Mr. Keebler noted the Planning Commission felt this was a innocuous request but the more he thought about it he did not want to support it. Mr. Keebler advised when the language was rewritten for the Uptown District zoning a lot of changes were made to make things easier and to calculate densities. Mr. Keebler noted this space was designed to be part of the storefront and the fact they chose to divide it off was something they chose and for that reason it was a slippery slope. Mr. Keebler advised density was 2 to 1 residential to commercial with no residential on the first floor and if Council approved one conditional use request where would it stop? Mr. Keebler noted even though he recommended approval during the Planning Commission process he now felt it was inappropriate.

Mr. Keebler advised the space could not be monitored, he could potentially see people sleeping there on weekends and there was no reason to approve it. Mr. Keebler noted it would not raise income for the owner and it was not a hardship.

Mr. Snyder noted it was a useless space that could not be used for anything.

Ms. Southard inquired how large the space was.

Mr. Scott Webb, Agent, advised the space was just under 400 square feet. Mr. Webb noted the new zoning guidelines for the Uptown District did create a fair and equitable way to build buildings Uptown but they were not perfect in every case. Mr. Webb advised this building was extraordinarily narrow and very deep and the space was there because the .7 minimum lot area had to be met. Mr. Webb noted the opportunity to use the space for a separate tenant was not available because there was a significant amount of grade in the building and room could not be made ADA accessible. Mr. Webb advised the developer had to build this much space whether or not a tenant that could use a space 30 feet wide by 140 feet deep. Mr. Webb noted the building was leased to its greatest extent. Mr. Webb advised with regard to monitoring, the building was under 24 hour video surveillance. Mr. Webb noted his client had no interest in allowing a party room. Mr. Webb advised there were extenuating circumstances that made it difficult if not impossible to rent this as a separate space.

Mayor McKeehan noted 400 square feet was not much space and he did not know how it could be separated for two uses.

Mr. Smith moved to adopt the Ordinance. Mr. Blackburn seconded. The motion failed by the following roll call:

AYE: Mayor McKeehan (1)

NAY: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler (6)

ABS: None (0)

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance No. 3312 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Property Located On West Central Avenue (Parcels H4100106000017, H4100106000020 And H4100106000023) Oxford, Ohio And Rezoning The Property From R2MS (Single And Two Family Mile Square Residential) District To GB (General Business) District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the area in question was shown on page 139 of Council's packet. Mr. Chen noted the land was part of a voluntary agreement between the property owner and the Ohio EPA prohibiting the site to be used for residential purposes. Mr. Chen advised under the current zoning (R2MS) the property had no residual value and the Planning Commission recommended it be rezoned to GB to make it developable.

Mayor McKeehan advised the residential zoning designation was an oversight when the overall zoning map was updated.

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

Mr. Keebler moved to adopt Ordinance No. 3312. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler, Ms. Rousmaniere, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3313 Approving A Conditional Use Permit To Permit A Mini Warehouse And Business Incubator Facility To Be Located At 801 S. Beech Street Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the Planning Commission recommended approval of the proposed adaptive reuse of the site. Mr. Chen noted the proposal was shown on page 191 of Council's packet.

Ms. Rousmaniere noted the site was south of Central Avenue and west of the railroad tracks.

Mr. Scott Webb, Agent, noted he would be happy to answer any questions. Mr. Webb advised Mr. Pulley, the property owner was also in attendance to answer any questions regarding the operation.

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

Ms. Rousmaniere advised she liked that there had been engagement with the community throughout this process. Ms. Rousmaniere noted the Pulleys talked to neighbors and some neighbors came to the Planning Commission hearing to complain about the proposal and afterwards they felt it was a good project. Ms. Rousmaniere advised it had been a very good process.

Ms. Southard noted the Fire Chief urged that a sprinkler system be installed in the proposed facility and inquired if Council could ask that to happen.

Mr. Keebler advised it had to be built according to the Building Code. Mr. Keebler noted he agreed with the Fire Chief in terms of the large building because from a firefighting viewpoint small cubicles inside a large building had a combustible load that was typically more than an average room. Mr. Keebler advised once a fire started it got very smoky and it was difficult to find which unit the fire was in. Mr. Keebler encouraged the owner to have the large building sprinkled but noted Council could not make it a condition for approval.

Mr. Keebler noted he felt this was a great reuse of the property and it was something needed in town. Mr. Keebler advised the proposal would substantially improve the current site.

Mayor McKeehan noted he shared Mr. Keebler's comments and the proposal could only improve the appearance of the area in question.

Mr. Snyder moved to adopt Ordinance No. 3313. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted at the last meeting several comments were made by a member of the public about the Rules of Council. Mr. Elliott noted it was stated that it took two members of Council to place an item on the agenda. Mr. Elliott clarified that only applied when the agenda was already published. Mr. Elliott advised the rules stated any member of Council may place an item on the Council agenda prior to the printing of such agenda.

Mr. Elliott advised Miami University's Alcohol Task Force released their report in March and it was available on Miami's website in the Student Affairs section. Mr. Elliott encouraged Council and members of the public to read the report.

Mr. Elliott updated Council and the public on the City's Municipal Electric Aggregation Program.

Mr. Kyger noted it was nice to see in Forbes Magazine that Oxford was the number one college town in the United States right now.

Ms. Rousmaniere encouraged everyone to vote yes on May 5th for the Lane Library levy.

Ms. Southard noted she was President of the Board for the Oxford Community Choice Pantry and they were having their volunteer appreciation event this week. Ms. Southard noted the board had many people to thank and the pantry appreciated everyone who assisted them.

Mr. Blackburn noted Saturday was the annual Kiwanis Pancake Day event and encouraged everyone to attend.

Mr. Smith advised the HAPC, McGuffey Museum and the Smith Library of Regional History would once again offer historic tours every Saturday in May. Mr. Smith encouraged everyone to check the City's website or the Oxford Press for the times and location of each tour.

Mayor McKeehan noted he participated in one of the historic tours last year and found it very interesting.

Mayor McKeehan advised Goodwill of Cincinnati agreed to allow the use of their building in Oxford for the ShareFest event this year noting it was a generous offer. Mayor McKeehan encouraged citizens to volunteer by helping with pick-ups or working at the store. Mayor McKeehan also encouraged citizens to donate un-used items for ShareFest and advised the items would assist the Family Resource Center, Butler County Children Services and other Butler County agencies.

ADJOURN

Ms. Rousmaniere moved to adjourn at 8:55 p.m. Mr. Smith seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: May 5, 2015

Sam Perry
Prepared By

Account Code No. #:

April 28, 2015
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – April 15, 2015

BZA-2015-04 215 S. Main Street, variance to Section 1143.05(c)(2)C minimum side yard setback David Kellems, Applicant

This existing building does not have a front porch; only a stoop. The building is built 4 feet from the side lot line (alley) which is 3.5 feet closer than current zoning code requires (7.5 minimum side yard setback). The owner's desire was to construct a new front porch the same distance from the alley as the existing building. If a new front porch location were to be compliant the front door would also have to be re-located, since it is not centered. After deliberation of the case the BZA found that a practical difficulty had been demonstrated, sufficient to warrant the granting of the variance requested. Adopting the staff analysis along with their deliberation, the BZA voted 5-0-0 approving the side yard reduction variance of 3.5 feet.

BZA-2015-05 110 N. Poplar Street, McCullough Hyde Memorial Hospital, variance to Sections 1151.05(a)(2)A wall signs only; 1151.03(b) permitted signs; 1151.05(c)(4)A, C&D directional sign size, location and message; 1151.05(a)(2)B1 indirect illumination only, Andrew English, Innocom Corporation, Applicant/Agent

A consultant for McCullough Hyde proposed sign replacements as part of a way-finding improvement and hospital name change. Ground-mounted signs are not permitted in the Uptown zoning district, therefore, replacements required variances. The directional signs for the employee parking were larger than permitted, closer to the right of way than permitted and contained company logo. The wall sign proposed to face North Main Street was proposed to be lighted internally, which is not permitted in the Uptown District. The consultant explained the rationale for the improvements based on his experience with improving campus way-finding. There was not significant discussion regarding the new ground-mounted signs. There was discussion regarding the lighting of the wall sign and whether or not it was necessary and if there was a practical difficulty demonstrated. The BZA voted 5-1-0 to approve the variances as requested. The BZA adopted the staff conditions suggested, which were primarily related to the lighting controls of the proposed signage.

Next Meeting

The next regular meeting is May 20, 2015 at 7:30 p.m.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
<u>Jnc</u>	<u>4/28/15</u>
<u>DRE</u>	<u>5/1/15</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: May 5, 2015

Kim Newton

Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

April 23, 2015

Date Prepared

Agenda Title:

Report regarding the April 22, 2015 Civil Service Commission Regular Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, April 22, 2015. Those members present were: Karen Martino, Chair; James Burchyett, Vice-Chair; Greg Smith; Brian Martin and Bill Brewer.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary; Gail Brahier, Parks & Recreation Director and Mike Dreisbach, Service Director were in attendance for the City. Dennis Malone, Human Resources Director was in attendance for the Talawanda School District.

The Commission reviewed and approved the Recreation Programs Supervisor Protocol.

The Commission also reviewed and approved the following three (3) eligibility lists: Water Distribution Manager for the City of Oxford and the District Custodial Personnel and Cafeteria Worker for the Talawanda School District.

The Commission will hold their next regular meeting on Wednesday, May 27, 2015 at 6:00 p.m.

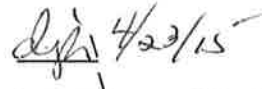
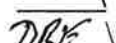
Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 4/23/15

 4/23/15

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

Police

Originating Department

Council Meeting Of: May 5, 2015

Robert Holzworth

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 24, 2015

Date Prepared

Agenda Title: Resolution to sell police vehicles that have been retired from the fleet to the highest bidder.

Recommendation: Adopt the Resolution

Discussion: Pursuant to Oxford City Code, the Division of Police requests that City Council approve the sale of vehicles described in the attached memorandum as scrap or junk to the highest bidder on a per pound basis with a minimum of two bids. Proceeds from such sale shall be placed in the General Fund.

Six (6) of the vehicles are retired police fleet vehicles, one (1) vehicle is a vehicle that was converted to city use as an unmarked vehicle, and one (1) vehicle is a retired armored SRT vehicle. All vehicles are no longer in use due to their age, inoperability, or poor condition.

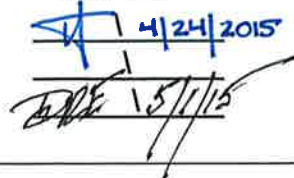
Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 4/24/2015

RESOLUTION NO.

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

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

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

SECTION 2: Council hereby authorizes the sale of said vehicles at public auction to the highest bidder with proceeds thereof deposited in the General Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT "A"



Make: 1999 Ford Armored Truck
Vin: 3FEWF8013XMA16742



Make: 1998 Chevrolet Malibu
Vin: 1G1ND52M4W6137898



Make: 2003 Ford Crown Vic
Vin: 2FAFP71W43X119439



Make: 2001 Ford Crown Vic
Vin: 2FAFP71W21X175439



Make: 2001 Ford Crown Vic
Vin: 2FAFP71W01X175438



Make: 2003 Ford Crown Vic
Vin: 2FAFP71W23X119438



Make: 2003 Ford Crown Vic
Vin: 2FAFP71W03X119440



Make: 2004 Ford Crown Vic
Vin: 2FAFP71W54X167288

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: May 5, 2015

Account Code #: 331.830.52340

Budgeted Amount: \$82,000.00

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

April 24, 2015

Date Prepared

Agenda Title: Land Application of Biosolids from the Wastewater Treatment Plant

Recommendation: Approve

Discussion:

The 2015 Operating Budget includes \$82,000 for various contracted services including the beneficial land application of biosolids from the City's wastewater treatment plant.

The City advertised for bids in multiple document clearinghouses as well as the *Hamilton Journal* on April 10 and April 17, 2015. Bids were opened on April 24, 2015 with the following results:

Synagro-WWT, Inc. \$ 19.02 per wet ton

Burch-Hydro, Inc. 26.21 per wet ton

The City expects to produce up to approximately 1500 wet tons of biosolids in 2015. At the bid rate of \$19.02, our expected cost for this service will be \$28,530. Synagro has provided this service for at least the last 15 years, with only modest price increases over time. In 2005, the City's rate from Synagro was \$17.95. Given today's bid, the price has increased only 5.9% in the past 10 years.

The contract will be for a period of two years, with optional two-year extensions available with concurrence from the City and the Contractor.

Staff has evaluated other disposal options available to the City including "alternate daily cover" at the Rumpke Sanitary Landfill and thermal oxidation in conjunction with Butler County Department of Environmental Services. At this time, beneficial land application is by far the most economical option for permitted disposal.

This Resolution will authorize the City Manager to enter into an agreement with Synagro-Central, LLC for the loading, hauling, and land application of biosolids for an amount not to exceed \$28,530. Staff is not requesting a contingency amount at this time for this contract.

Approved By:

Department Head:

Initial Date
MBD 4/27/15

City Manager:

MBD 5/1/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE BID OF SYNAGRO-CENTRAL, LLC FOR THE LAND APPLICATION OF BIO-SOLIDS IN AN AMOUNT NOT TO EXCEED \$28,530.00.

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

SECTION 1: The City solicited bids for the land application of bio-solids in the *Hamilton Journal* as well as other document clearinghouses on April 10, 2015 and April 17, 2015. Bids were opened on April 24, 2015.

SECTION 2: The Service Director, having reviewed the bids for the loading, hauling and land application of anaerobically digested cake bio-solids from the City of Oxford's Waste Water Treatment Plant, recommends Council accept the bid of Synagro-Central, LLC.

SECTION 3: Council finds the bid of Synagro-Central LLC of \$19.02 per wet ton to be the lowest and best bid and accepts the same.

SECTION 4: Council hereby authorizes the City Manager to enter into a contract with Synagro-Central, LLC at a cost of \$19.02 per wet ton, not to exceed \$28,530.00.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: May 5, 2015

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 29, 2015

Date Prepared

Agenda Title: A Resolution in support of abolishing corporate constitutional rights and creating a truly representative democracy.

Recommendation: N/A

Discussion:

As requested by Oxford citizens and sponsored by Councilor Snyder and Vice Mayor Rousmaniere. Please see the attached information and proposed Resolution of Oxford City Council.

Approved By:

Initial Date

Department Head:

City Manager:

 5/1/15

RESOLUTION NO.

A RESOLUTION IN SUPPORT OF ABOLISHING CORPORATE CONSTITUTIONAL RIGHTS AND CREATING A TRULY REPRESENTATIVE DEMOCRACY.

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, corporations are not and have never been human beings, but instead are legal constructs created by the People through our representative government and are therefore subject to our interests; and

WHEREAS, money is property, not speech, and people with the most property do not have more rights to speech than the average person; and

WHEREAS, in a 2010 decision by the U.S. Supreme Court, *Citizens United v. the Federal Election Commission*, the Supreme Court overturned key provisions of the federal Campaign Reform Act enacted in 2002, and ruled that corporate entities, and labor unions, have the same rights as individuals to unrestricted spending on political speech, restricting the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations protecting the health, safety, and welfare of people and small businesses; and

WHEREAS, corporations can make important contributions to our society, but granting corporate constitutional rights benefit only large corporations, disadvantaging local interests and the small and family-owned businesses that governments most closely work with and support; and

WHEREAS, the people of the United States have previously used the constitutional amendment process to correct decisions of the U.S. Supreme Court that are widely deemed to be egregious or wrongly decided or significantly out-of-step with the prevailing values of the populace; and

WHEREAS, more than 300 cities, towns, and states have already passed similar calls for a constitutional amendment protecting the sovereignty of the People; and

WHEREAS, local governments have always played an essential role in protecting the integrity of our political processes.

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

SECTION 1: The City of Oxford joins the growing number of communities across the country in calling for an Amendment to the Constitution of the United States to declare that only human beings, not corporations, are endowed with constitutional rights, and further to ensure that the judiciary shall not construe the spending of money to be protected speech under the First Amendment.

SECTION 2: The City of Oxford supports education to increase public awareness of the threats to our democracy posed by corporate personhood and the doctrine of money as speech.

SECTION 3: The City of Oxford calls on our township, county, state and federal representatives to enact similar resolutions and legislation to advance this effort and directs the City Manager to send copies of this resolution to our elected representatives in these jurisdictions.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: STEVE SNYDER/KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Why Oxford City Council should pass a resolution calling for a Constitutional amendment that says corporations are not people, and money is not speech.

Because these concepts have direct local impact and there is a growing multi-partisan national movement to address them

Corporations come in all sizes and shapes and serve an important function in our social and economic systems. They are legal constructs created by the People through our representative government. They are not people.

People across the political spectrum took notice when--based on the assumption that corporations are people with the same Constitutional rights as living, breathing human beings--the U.S. Supreme Court in *Citizens United v. the Federal Election Commission* (2010) overturned key provisions of the federal Campaign Reform Act enacted in 2002. The Court ruled that corporate entities, and labor unions, have the same rights as individual people to nearly unrestricted spending on political speech.

A 2010 Washington Post-ABC News poll revealed relatively little difference of opinion across party lines on the issue among those opposed to the ruling: **Democrats (85%), Republicans (76%) and independents (81%).**

A 2014 Public Citizen poll showed that the impact of special interest lobbying and election spending on our political system is still viewed unfavorably by: **Republicans (79%), Democrats (76%), and independents (74%).**

Since *Citizens United* more than 300 communities and states from a variety of regions and political climates have passed resolutions or initiatives calling for an amendment, including Montana, where voters approved a statewide resolution by 75%.

Ohio resolutions

Akron, 2012	Lakewood, 2014
Athens 2012	South Euclid, 2014
Oberlin, 2012	Dayton, 2015
Barberton, 2012	Canton, 2015
Fremont, 2012	

Ohio Initiatives

Brecksville, 2012 (52%)
Newburgh Heights 2012 (73%)
Defiance 2013 (67%)
Cleveland Heights 2013 (78%)
Chagrin Falls, 2014 (66%)
Mentor, 2014 (70%)

Because it is good for business and the local economy

According to the American Independent Business Alliance (that filed a Friend of the Court Brief with the Supreme Court against *Citizens United*), each dollar spent at independent businesses returns three times more money to the local economy than one spent at a chain (hundreds of times more than buying from an online mega-retailer), helping to create local jobs and local wealth.

In a 2012 poll sponsored by the American Sustainable Business Council, Main Street Alliance, and Small Business Majority:

66% of small business owner respondents viewed the Citizens United decision as bad for small business.

88% of respondents view the role money plays in politics negatively; 68% view it very negatively.

A 2014 survey conducted on behalf of the Small Business Majority showed that “small business owners believe big businesses have an unfair influence on government decisions and the political process—which gives them a competitive advantage over small firms...and that they want government to [adopt] policies that level the playing field with big business and bring fairness to our campaign finance laws.”

72% of small business owners say major changes are needed to our campaign finance system

48% of respondents identified as Republican, 32 percent as Democrat and 11 percent as independent or other.

Because we, the people, decide the way Oxford should be

We, the people of the City of Oxford, Butler County, Ohio, in order to secure for ourselves the benefits of local self-government under the constitution of the State of Ohio, do ordain and establish this Charter for the government of the Municipality of Oxford. [Preamble to Oxford Charter 1960]

Oxford is a special place in which to live, attend school, and visit, in part due to the number of small, locally owned businesses and franchises that line High Street and other areas, and very much due to the people who own those businesses and the people who live and work here. Local government plays an important role in preserving the character of Oxford, in protecting the local economy, and in protecting the rights of the people.

Residents, including local owners of businesses, with roots in our community should be the ones involved in key decisions that shape our lives and local economic and physical environment, not corporate executives living in Arkansas, New York, France or China.

Efforts to expand and protect our freedom have always been ushered in by the actions of grassroots people and the local governments closest to them. Almost all constitutional amendments began with local citizens, and rarely has action to amend the constitution started at the national level. Ohio Secretary of State Jon Husted ruled in 2012 that a similar call by citizens of Brecksville, Ohio for a constitutional amendment to address corporate constitutional rights and money in politics was a legitimate interest of city government. The Ohio Supreme Court upheld his decision.

The United States Conference of Mayors passed a resolution in 2012 stating that the *Citizens United* decision “contributes to the undermining impacts that ‘corporate personhood’ has on free and fair elections and effective self- governance.” They also called for other communities and jurisdictions to join them in passing their own resolutions.

GRANTING CORPORATIONS THE SAME CONSTITUTIONAL RIGHTS AS “WE THE PEOPLE” THREATENS DEMOCRACY, AND LIMITS THE RIGHTS OF THE CITIZENS OF OXFORD TO DECIDE FOR OURSELVES THE OXFORD WE WANT.

This handout was prepared by Take Back Democracy – Oxford, a coalition of people and groups from the community and university, and a program of Oxford Citizens for Peace and Justice.



ESTABLISH AS A POSITION OF THE UNITED STATES CONFERENCE OF MAYORS THAT CORPORATIONS SHOULD NOT RECEIVE THE SAME LEGAL RIGHTS AS NATURAL PERSONS DO, THAT MONEY IS NOT SPEECH AND THAT INDEPENDENT EXPENDITURES SHOULD BE REGULATED

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings also known as "natural persons"; and

WHEREAS, corporations can and do make important contributions to our society, but the United States Conference of Mayors does not consider them natural persons; and

WHEREAS, the right to free speech is a fundamental freedom and unalienable right and free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, United States Supreme Court Justice Hugo Black in a 1938 opinion stated, "I do not believe the word 'person' in the Fourteenth Amendment includes corporations"; and

WHEREAS, the United States Supreme Court held in *Buckley v. Valeo* (1976) that the appearance of corruption justified limits on contribution to candidates, but rejected other fundamental interests that the United States Conference of Mayors finds compelling such as creating a level playing field and ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard; and

WHEREAS, the United States Supreme Court in *Buckley* overturned limits on independent expenditures because it found that the corruption or perception of corruption rationale was only applicable to direct contributions to candidates; and,

WHEREAS, United States Supreme Court Justice John Paul Stevens observed in *Nixon v. Shrink Missouri Government PAC* (2000) that "money is property, it is not speech,"; and

WHEREAS, the United States Supreme Court recognized in *Austin v. Michigan Chamber of Commerce* (1990) the threat to a republican form of government posed by "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporations political ideas" and upheld limits on independent expenditures by corporations; and

WHEREAS, the United States Supreme Court in *Citizens United v. The Federal Election Commission* (2010) reversed the decision in *Austin*, allowing unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes; and

WHEREAS, prior to *Citizens United* decision unlimited independent campaign expenditures could be made by individuals and associations, though such committees operated under federal contribution limits; and,

WHEREAS, given that the *Citizens United* decision "rejected the argument that political speech of corporations or other associations should be treated differently" because the First Amendment "generally prohibits the suppression of political speech based on the speaker's identity," there is a need to broaden the corruption rationale for campaign finance reform to facilitate regulation of independent expenditures regardless of the source of the money for this spending, for or against a candidate; and

WHEREAS, a February 2010 Washington Post-ABC News poll found that 80 percent of Americans oppose the U.S. Supreme Court *Citizens United* ruling; and,

WHEREAS, the opinion of the four dissenting justices in *Citizens United* noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets; and

WHEREAS, corporations are legally required to put profits for shareholders ahead of concerns for the greatest good of society while individual shareholders as natural persons balance their narrow self-interest and broader public interest when making political decisions; and

WHEREAS, addressing both the *Citizens United* decision, and corporate personhood is necessary; and **WHEREAS**, the City Councils of Missoula, Montana; Boulder, Colorado; and Madison, Wisconsin have referred the issue of corporate personhood to their communities for advisory vote.

NOW, THEREFORE, BE IT RESOLVED that it is the position of the United States Conference of Mayors that corporations should not receive the same legal rights as individual human beings (also known as "natural persons") do; and

BE IT FURTHER RESOLVED that the United States Conference of Mayors also determines that the most urgent action needed is to reverse the impacts of United States Supreme Court *Citizens United* (2010) decision and the door it opens for unlimited independent campaign expenditures by corporations that contributes to the undermining impacts that "corporate personhood" has on free and fair elections and effective self- governance; and

BE IT FURTHER RESOLVED that the United States Conference of Mayors calls on other communities and jurisdictions and organizations like National League of Cities to join with us in this action by passing similar Resolutions.

WE THE PEOPLE AMENDMENT



WWW.WETHEPEOPLEAMENDMENT.ORG

Section 1. *[Artificial Entities Such as Corporations Do Not Have Constitutional Rights]*

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2. *[Money is Not Free Speech]*

Federal, State, and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, to ensure that all citizens, regardless of their economic status, have access to the political process, and that no person gains, as a result of their money, substantially more access or ability to influence in any way the election of any candidate for public office or any ballot measure.

Federal, State, and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Introduced in Congress February 11, 2013 + April 29, 2015

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: May 5, 2015

Account Code #: 320.811.65127

Budgeted Amount: \$68,000.00

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

April 24, 2015
Date Prepared

Agenda Title: Purchase of Replacement Truck for Water Distribution Division of the Service Department

Recommendation: Approve

Discussion:

The 2015 Capital Equipment Budget includes \$68,000 for the purchase of a replacement utility service truck for use by the Water Distribution Division of the Service Department. The existing vehicle is in fair condition, but is nearing the end of its useful service life and have been budgeted for replacement:

05-36 10 years old Ford F350 two wheel drive truck

This truck is used on a daily basis for utility service operations and is critical in the performance of duties.

The State of Ohio – Department of Transportation contract for the purchase of trucks, contract # 023-14, includes Freightliner item M2 106 – conventional chassis (exhibits attached), for a 2015 light duty chassis. The unit price for this vehicle, sold through FYDA Freightliner is as follows:

	<u>Contract Price</u>	<u>Options</u>	<u>Total Contract Price</u>
Contract Item M2 106	\$56,581.00	\$ None	\$56,581.00

A utility service body will be added to the chassis after acceptance of the vehicle under a separate contract and vendor.

This Resolution will authorize the City Manager to enter into an agreement with FYDA Freightliner Cincinnati, LLC for the purchase of a 2015 M2 106 cab and chassis at a cost not to exceed \$56,581.00. Staff further recommends Council authorize the sale of a surplus truck identified as #05-36 by public or electronic auction at the earliest convenience of the City.

Approved By:

Department Head:

City Manager:

Initial Date
MBD \ 4/27/15

DRB \ 5/1/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FYDA FREIGHTLINER CINCINNATI, LLC FOR THE PURCHASE OF A 2015 M2 106 CAB AND CHASSIS AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$56,581.00.

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

SECTION 1: Council hereby authorizes the Service Department to purchase a 2015 M2 106 cab and chassis at state contract pricing at a cost not to exceed \$56,581.00.

SECTION 2: The City Manager is hereby authorized to enter into an agreement with FYDA Freightliner Cincinnati, LLC for the purchase of a 2015 M2 106 cab and chassis at state contract pricing at a cost not to exceed \$56,581.00.

SECTION 3: Funds have been appropriated for the authorized purchase price.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)



Memo

Service Department
Streets and Maintenance Division
Phone 513/523-8412 fax 513/524-1146

TO: Mike Dreisbach, Service Director

FROM: Eric Keebler, Streets & Maintenance Manager

CC:

RE : Replacement of #05-36

DATE: 4/23/15

Mike,

I would like to recommend replacing truck #05-36 with Item #5 from the ODOT Contract # 023-14. A quote from Fyda Freightliner is attached to this Memo. This is a Multi-Vendor contract. Attached is a copy of the approved list of vendors and also beginning pricing list for the different models.

This truck will be used by Water Distribution for a Maintenance truck. It will be equipped with an 11 foot utility body with ladder racks and a 16,000 lb. tow hitch.

The total purchase price of the cab and chassis will be \$56,581.00 from the Water Capital Equipment Fund - 320.811.65127.

Thank you,
Eric

Prepared for:
Eric Keebler
ODOT-City of Oxford
101 East High Street
Oxford, OH 45056
Phone: 135238412

Prepared by:
Mike Bailey
FYDA FREIGHTLINER
CINCINNATI
1 FREIGHTLINER DRIVE
CINCINNATI, OH 45241
Phone: 513-772-7171

Q U O T A T I O N

M2 106 CONVENTIONAL CHASSIS

SET BACK AXLE - TRUCK CUM ISB 6.7-220 220 HP @ 2300 RPM, 2600 GOV, 520 LB/FT @ 1600 RPM ALLISON 2500 HS AUTOMATIC TRANSMISSION, NO PTO PROVISION DETROIT DA-RS-17.5-2 17,500# R-SERIES SINGLE REAR AXLE 16,000# 52 INCH VARIABLE RATE MULTI-LEAF SPRING REAR SUSPENSION	DETROIT DA-F-8.0-3 8,000# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE 8,000# TAPERLEAF FRONT SUSPENSION 106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB 3825MM (151 INCH) WHEELBASE 9/32X3-7/16X10-1/16 INCH STEEL FRAME (7.14MMX255.6MM/0.281X10.06 INCH) 120KSI 1900MM (75 INCH) REAR FRAME OVERHANG
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			PER UNIT		TOTAL
VEHICLE PRICE	TOTAL # OF UNITS (1)	\$	56,591	\$	56,591
EXTENDED WARRANTY		\$	0	\$	0
DEALER INSTALLED OPTIONS		\$	0	\$	0
CUSTOMER PRICE BEFORE TAX		\$	56,591	\$	56,591

TAXES AND FEES

FEDERAL EXCISE TAX (FET)	\$	(10.0)	\$	(10.0)
TAXES AND FEES	\$	0	\$	0
OTHER CHARGES	\$	0	\$	0

TRADE-IN

TRADE-IN ALLOWANCE	\$	(0)	\$	(0)
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BALANCE DUE	(LOCAL CURRENCY)	\$	56,581	\$	56,581
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COMMENTS:

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X _____ Date: ___ / ___ / ___.

Daimler Truck Financial

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at Information@dtfoffers.com.

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.



STATE OF OHIO		Director of Transportation				Award Date
		Invitation	023-14	Multiple		
		Opened	6/5/2014			
		Location	All Districts			
		Commodity	Single & Tandem Axle Cab and Chassis and Light Duty Chassis			
		Threshold				
			Effective 7/1/14 through 4/30/15			
		Vendor Information	Remit to Address	Link to Bid		
			Columbus Truck Center, LLC			
Columbus Truck Center, LLC						
1688 E. 5th Ave.		1688 E. 5th Ave.				
Columbus, OH 43219		Columbus, OH 43219				
Dave Silor		Dave Silor				
800-288-0839		800-288-0839				
OAKS ID: 0000217682						
jfarley@columbus-truck.com						
Fyda Freightliner (Columbus)			Fyda Freightliner (Columbus)			
1250 Walcutt Rd.		1250 Walcutt Rd.				
Columbus, OH 43228		Columbus, OH 43228				
Patricia DePaola		Patricia DePaola				
800-589-3932		800-589-3932				
OAKS ID: 0000042867						
stancos@fydafreightliner.com						
Fyda Freightliner Cincinnati, Inc			Fyda Freightliner Cincinnati, Inc			
1 Freightliner Dr.		1 Freightliner Dr.				
Cincinnati, OH 45241		Cincinnati, OH 45241				
Dan Ruhe		Dan Ruhe				
800-582-5807		800-582-5807				
OAKS ID: 0000201056						
mbailey@fydafreightliner.com						

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Service Department
Originating Department

City Council Meeting of: May 5, 2015

Michael B. Dreisbach
Prepared By

Account Code #: 320.810.65128 - \$22,000
140.720.61164 - \$30,000
140.720.61165 - \$30,000

Budgeted Amount: \$82,000.00

April 24, 2015
Date Prepared

Agenda Title: Purchase of Replacement Trucks for Water Production Division and Streets & Maintenance Division of the Service Department

Recommendation: Approve

Discussion:

The 2015 Capital Equipment Budget includes \$82,000 for the purchase of three replacement pickup trucks for use by the Water Production Division (1) and the Streets & Maintenance Division (2) of the Service Department. The following vehicles are in fair to poor condition and have been budgeted for replacement:

# 02-24	Water Production	13 year old	Chev 1500 pickup 4 wh. drive
# 02-53	Streets & Maint.	13 year old	Dodge Ram 2500 4 wh. drive
# 95-34	Streets & Maint.	20 year old	Ford F150 4 wh. drive

The State of Ohio contract for the purchase of trucks and vans (Index No. GDC-093) includes items #15AT and # 28AT(exhibits attached), for a 2015 F150 regular cab four wheel drive pickup truck and a 2015 F350 regular cab four wheel drive pickup truck respectively. The unit price for these vehicles, all sold through Middletown Ford is as follows:

	<u>Contract Price</u>	<u>Options</u>	<u>Total Contract Price</u>
Contract Item #15AT	\$22,702.28	\$975.32	\$23,677.60
Contract Item #18AT	\$27,004.92	\$944.11	\$27,949.03
Contract Item #18AT	\$27,004.92	\$944.11	<u>\$27,949.03</u>
Total Contract Value.....			\$79,575.66

This Resolution will authorize the City Manager to enter into an agreement with Middletown Ford, Inc. for the purchase of three 2015 Ford trucks and specified options with 30-day tags at a cost not to exceed **\$79,575.66**. Staff further recommends Council authorize the sale of three surplus pickup trucks identified as #02-24, #02-53, and #95-34 by public or electronic auction at the earliest convenience of the City.

Approved By:

Department Head: Initial Date
MB 4/27/15
City Manager: MB 5/1/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIDDLETOWN FORD, INC. FOR THE PURCHASE OF THREE (3) 2015 FORD TRUCKS AND SPECIFIED OPTIONS WITH 30-DAY TAGS AT STATE CONTRACT PRICING AT A TOTAL COST NOT TO EXCEED \$79,575.66.

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

SECTION 1: Council hereby authorizes the Service Department to purchase three (3) 2015 Ford trucks and specified options with 30-day tags at state contract pricing at a total cost not to exceed \$79,575.66.

SECTION 2: The City Manager is hereby authorized to enter into an agreement with Middletown Ford, Inc. for the purchase of three (3) 2015 Ford trucks and specified options with 30-day tags at state contract pricing at a total cost not to exceed \$79,575.66.

SECTION 3: Funds have been appropriated for the authorized purchase price.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)



Memo

Service Department
Streets and Maintenance Division
Phone 513/523-8412 fax 513/524-1146

TO: Mike Dreisbach, Service Director

FROM: Eric Keebler, Streets & Maintenance Manager

CC:

RE : Replacement of #02-24

DATE: 4/23/15

Mike,

I would like to recommend replacing truck #02-24 with Item #15AT from State Contract, Index # - GDC093. The original form, printed from the Ohio DAS website, is attached to this memo, as well as a quote, with options, from the contract holder, Middletown Ford.

This truck will be used by the Water plant employees.

The total purchase price will be \$23,677.60 from the Water Capital Equipment Fund - 320.810.65128.

Thank you,
Eric

Middletown Ford Fleet Department
 1750 N. Verity Parkway
 Middletown, OH 45042
 (513) 420-8700
david.spencer@middletownford.com

To whom it may concern,

Thank you for allowing Middletown Ford to bid on your:

Vehicle Information							
Item #	Year	Make	Model	Trim	Body Style	Color	No. of Units
15AT	2015	Ford	F-150	XL	Regular Cab	Oxford White	1

Buyer Information						
Name	Address	City	State	Zip Code	Phone Number	
City of Oxford	101 East High Street	Oxford	OH	45056	(513) 523-8412	

Vehicle Bid (Per Unit)			Amount Due At Inception:	
Selling Price	\$22,702.28		Down Payment:	
Extra Key	\$185.35		Cash Deposit:	\$0.00
Tow Hitch/7-Pin Plug/Brake Controller	\$241.02		Cash Down Payment:	\$0.00
All Terrain Tires	Standard			
Trailer Tow Mirrors	\$420.24		Rebate(s):	
Backup Alarm	\$110.21		N/A	\$0.00
N/A	\$0.00			
N/A	\$0.00		Trade(s):	
N/A	\$0.00		Trade 1	\$0.00
Delivery	\$0.00		Trade 2	\$0.00
Title Fee	\$0.00		Trade 3	\$0.00
Registration Fee (30-Day Tag)	\$18.50		Total Net Trade(s)	
Other Fees	\$0.00			
Total Due	\$23,677.60		Total Credits	\$0.00

We would also like to announce that we participate in the state's Minority Business Enterprise (MBE) Program. Please see attached documents for further details. We greatly appreciate you giving Middletown Ford the opportunity to earn your business.

Sincerely,
 David Spencer
 Fleet/Commercial Sales Manager

Minority Business Enterprise Award In Accordance with ORC CH. 125.081

ITEM – 15AT – PICKUP – 6,400 LB. – 4WD – Regular Cab – Long Bed - Flex Fuel

DELIVERY: 112-126 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Dearborn, MI

CONTRACTOR: Middletown Ford	MFG: Ford	MODEL: F-150	MODEL NUMBER: F1E
Item ID No.: 26917			UNIT PRICE: \$22,702.28

List any exceptions to the specifications:

<u>ITEM ID NO.</u>		<u>UNIT COST</u>
26871	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.40
26872	Minimum Delivery Charge	\$ 75.00

<u>ITEM ID NO.</u>	<u>CONTRACTOR'S ORDER NO.</u>	<u>OPTIONS</u>	<u>UNIT COST</u>
26873	17600994	30 Day Tag	\$ 18.50
26874	PM	Parts Manual (Electronic)	\$ 154.50
26875	SM	Service Manual (Electronic)	\$ 252.35
26876	KEY	Additional Set of Keys with FOB Enabling Electronic Keyless Entry	\$ 185.35
Specify on PO	CG	Cloth Seat Covering	\$ 0.00
26918	96P	Bed Liner	\$ 307.97
26919	67T	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 241.02
Included	Standard	All-Terrain Tires	\$ 0.00
26920	KOI	Trailer Tow Mirrors	\$ 420.24
26921	85H	Backup Alarm	\$ 110.21
Specify on PO	SBE	Seat Belt Extender (1 Unit)	\$ 0.00

List standard paint colors: Oxford White, Green Gem, Blue Flame, Blue Jeans, Ingot Silver, Tuxedo Black

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, Alice Ewing, for approval;

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: EQUAL to manufacturer invoice.



Memo

Service Department
Streets and Maintenance Division
Phone 513/523-8412 fax 513/524-1146

TO: Mike Dreisbach, Service Director

FROM: Eric Keebler, Streets & Maintenance Manager

CC:

RE : Replacement of #02-53

DATE: 4/23/15

Mike,

I would like to recommend replacing truck #02-53 with Item #28AT from State Contract, Index # - GDC093. The original form, printed from the Ohio DAS website, is attached to this memo, as well as a quote, with options, from the contract holder, Middletown Ford.

This truck will be equipped with a snow plow, used for snow removal during the winter months. It will also be used for normal Streets & Maintenance duties, pulling trailers, etc., during the summer months.

The total purchase price will be \$27,949.03 from the Capital Equipment Fund - 140.720.61164.

Thank you,
Eric

Middletown Ford Fleet Department
 1750 N. Verity Parkway
 Middletown, OH 45042
 (513) 420-8700
david.spencer@middletownford.com

To whom it may concern,

Thank you for allowing Middletown Ford to bid on your:

Vehicle Information							
Item #	Year	Make	Model	Trim	Body Style	Color	No. of Units
28AT	2015	Ford	F-350	XL	Regular Cab	Oxford White	1

Buyer Information						
Name	Address	City	State	Zip Code	Phone Number	
City of Oxford	101 East High Street	Oxford	OH	45056	(513) 523-8412	

Vehicle Bid (Per Unit)		Amount Due At Inception:	
Selling Price	\$27,004.92	Down Payment:	
Single Rear Wheel, Extended Cab Delete + 4X4	\$519.84	Cash Deposit:	\$0.00
Extra Key	\$185.35	Cash Down Payment:	\$0.00
Tow Hitch/7-Pin Plug/Brake Controller	Standard		
All Terrain Tires	\$110.21	Rebate(s):	
Trailer Tow Mirrors	Standard	N/A	\$0.00
Backup Alarm	\$110.21		
Step Rails/Running Boards	Standard	Trade(s):	
N/A	\$0.00	Trade 1	\$0.00
Delivery	\$0.00	Trade 2	\$0.00
Title Fee	\$0.00	Trade 3	\$0.00
Registration Fee (30-Day Tag)	\$18.50	Total Net Trade(s)	
Other Fees	\$0.00		
Total Due	\$27,949.03	Total Credits	\$0.00

We would also like to announce that we participate in the state's Minority Business Enterprise (MBE) Program. Please see attached documents for further details. We greatly appreciate you giving Middletown Ford the opportunity to earn your business.

Sincerely,
 David Spencer

Minority Business Enterprise Award In Accordance with ORC CH. 125.081

ITEM – 28AT – PICKUP – 12,800 LB.– DRW - 2WD – Extended Cab – Long Bed - Flex Fuel

DELIVERY: 70-84 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Louisville, KY

CONTRACTOR: Middletown Ford MFG: Ford MODEL: F-350 MODEL NUMBER: X3C

Item ID No.: 26961

UNIT PRICE: \$27,004.92

List any exceptions to the specifications:

<u>ITEM ID NO.</u>			<u>UNIT COST</u>
<u>26871</u>		Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	<u>\$.40</u>
<u>26872</u>		Minimum Delivery Charge	<u>\$ 75.00</u>
<u>ITEM ID NO.</u>	<u>CONTRACTOR'S ORDER NO.</u>	<u>OPTIONS</u>	<u>UNIT COST</u>
<u>26873</u>	<u>17600994</u>	30 Day Tag	<u>\$ 18.50</u>
<u>26874</u>	<u>PM</u>	Parts Manual (Electronic)	<u>\$ 154.50</u>
<u>26875</u>	<u>SM</u>	Service Manual (Electronic)	<u>\$ 252.35</u>
<u>26876</u>	<u>KEY</u>	Additional Set of Keys with FOB Enabling Electronic Keyless Entry	<u>\$ 185.35</u>
<u>26936</u>	<u>1S</u>	Cloth Seat Covering	<u>\$ 87.55</u>
<u>26937</u>	<u>85L</u>	Bed Liner	<u>\$ 250.29</u>
<u>Included</u>	<u>Standard</u>	Tow Hitch / 7-Pin Plug / Brake Controller	<u>\$ 0.00</u>
<u>26962</u>	<u>TBM</u>	All-Terrain Tires	<u>\$ 110.21</u>
<u>Included</u>	<u>Standard</u>	Trailer Tow Mirrors	<u>\$ 0.00</u>
<u>26939</u>	<u>76C</u>	Backup Alarm	<u>\$ 110.21</u>
<u>Specify on PO</u>	<u>SBE</u>	Seat Belt Extender (1 Unit)	<u>\$ 0.00</u>
<u>Included</u>	<u>Standard</u>	Step Rails / Running Boards	<u>\$ 0.00</u>
<u>Specify on PO</u>	<u>X3A</u>	Single Rear Wheel (SRW)	<u>\$ (1,016.00)</u>

List standard paint colors: Oxford White, Green Gem, Blue Jeans, Ingot Silver, Tuxedo Black

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, Alice Ewing, for approval;

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: EQUAL to manufacturer invoice.



Memo

Service Department
Streets and Maintenance Division
Phone 513/523-8412 fax 513/524-1146

TO: Mike Dreisbach, Service Director

FROM: Eric Keebler, Streets & Maintenance Manager

CC:

RE : Replacement of #95-34

DATE: 4/23/15

Mike,

I would like to recommend replacing truck #95-34 with Item #28AT from State Contract, Index # - GDC093. The original form, printed from the Ohio DAS website, is attached to this memo, as well as a quote, with options, from the contract holder, Middletown Ford.

This truck will be used by Grounds Maintenance to pull mower trailers, during the summer months. It will also be equipped with a 1300lb capacity lift gate for loading and unloading heavy items. The sidewalk snow removal crew will use this truck in the winter months to load and unload salt spreaders while applying ice melt at City Facilities.

The total purchase price will be \$27,949.03 from the Capital Equipment Fund - 140.720.61165.

Thank you,
Eric

Middletown Ford Fleet Department
 1750 N. Verity Parkway
 Middletown, OH 45042
 (513) 420-8700
david.spencer@middletownford.com

To whom it may concern,

Thank you for allowing Middletown Ford to bid on your:

Vehicle Information							
Item #	Year	Make	Model	Trim	Body Style	Color	No. of Units
28AT	2015	Ford	F-350	XL	Regular Cab	Oxford White	1

Buyer Information						
Name	Address	City	State	Zip Code	Phone Number	
City of Oxford	101 East High Street	Oxford	OH	45056	(513) 523-8412	

Vehicle Bid (Per Unit)			Amount Due At Inception:	
Selling Price	\$27,004.92		Down Payment:	
Single Rear Wheel, Extended Cab Delete + 4X4	\$519.84		Cash Deposit:	\$0.00
Extra Key	\$185.35		Cash Down Payment:	\$0.00
Tow Hitch/7-Pin Plug/Brake Controller	Standard			
All Terrain Tires	\$110.21		Rebate(s):	
Trailer Tow Mirrors	Standard		N/A	\$0.00
Backup Alarm	\$110.21			
Step Rails/Running Boards	Standard		Trade(s):	
N/A	\$0.00		Trade 1	\$0.00
Delivery	\$0.00		Trade 2	\$0.00
Title Fee	\$0.00		Trade 3	\$0.00
Registration Fee (30-Day Tag)	\$18.50		Total Net Trade(s)	
Other Fees	\$0.00			
Total Due	\$27,949.03		Total Credits	\$0.00

We would also like to announce that we participate in the state's Minority Business Enterprise (MBE) Program. Please see attached documents for further details. We greatly appreciate you giving Middletown Ford the opportunity to earn your business.

Sincerely,
 David Spencer

Minority Business Enterprise Award In Accordance with ORC CH. 125.081

ITEM – 28AT – PICKUP – 12,800 LB.– DRW - 2WD – Extended Cab – Long Bed - Flex Fuel

DELIVERY: 70-84 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Louisville, KY

CONTRACTOR: **Middletown Ford** MFG: **Ford** MODEL: **F-350** MODEL NUMBER: X3C

Item ID No.: 26961

UNIT PRICE: \$27,004.92

List any exceptions to the specifications:

ITEM ID NO.		UNIT COST
26871	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.40
26872	Minimum Delivery Charge	\$ 75.00

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
26873	17600994	30 Day Tag	\$ 18.50
26874	PM	Parts Manual (Electronic)	\$ 154.50
26875	SM	Service Manual (Electronic)	\$ 252.35
26876	KEY	Additional Set of Keys with FOB Enabling Electronic Keyless Entry	\$ 185.35
26936	1S	Cloth Seat Covering	\$ 87.55
26937	85L	Bed Liner	\$ 250.29
Included	Standard	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 0.00
26962	TBM	All-Terrain Tires	\$ 110.21
Included	Standard	Trailer Tow Mirrors	\$ 0.00
26939	76C	Backup Alarm	\$ 110.21
Specify on PO	SBE	Seat Belt Extender (1 Unit)	\$ 0.00
Included	Standard	Step Rails / Running Boards	\$ 0.00
Specify on PO	X3A	Single Rear Wheel (SRW)	\$ (1,016.00)

List standard paint colors: Oxford White, Green Gem, Blue Jeans, Ingot Silver, Tuxedo Black

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, Alice Ewing, for approval;

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: EQUAL to manufacturer invoice.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: May 5, 2015

Account Code #: Not applicable

Budgeted Amount: Not applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

April 29, 2015

Date Prepared

Agenda Title: Authorization to Dispose of Surplus Property

Recommendation: Approve

Discussion:

The 2015 Capital Equipment budget allows for the replacement of five vehicles in the Service Department. The trucks being replaced have reached the end of their useful service to the City. Staff requests authorization to declare the following vehicles as surplus so they may be taken out of service and auctioned to the highest bidder:

#02-24	2002 Chevrolet 1500 pickup truck
#02-53	2002 Dodge Ram 2500 pickup truck
#95-34	1995 Ford F150 pickup truck
#05-36	2005 Ford F350 truck with service body
#01-01	2001 Dodge utility vehicle

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

Approved By:

Department Head:

City Manager:

Initial

Date

MB 4/29/15

[Signature] 5/1/15

RESOLUTION NO.

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

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

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

SECTION 2: Council hereby authorizes the sale of said vehicles at public auction or internet auction to the highest bidder with proceeds thereof deposited in the General Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT 'A'

Vehicle # 02-24	2002 Chevrolet 1500 pickup truck
Vehicle # 02-53	2002 Dodge Ram 2500 pickup truck
Vehicle # 95-34	1995 Ford F150 pickup truck
Vehicle # 05-36	2005 Ford F350 truck with service body
Vehicle # 01-01	2001 Dodge utility vehicle

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: April 21, 2015

John Detherage

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 24, 2015

Date Prepared

Agenda Title: A Resolution authorizing EMS billing collections to be handled by the Ohio Attorney General

Recommendation: Adopt the Resolution.

Discussion: The fire department currently uses a third party vendor (McKesson) to operate our "soft billing" for EMS calls. This company makes three attempts to contact the user of our service to obtain their insurance information for billing purposes. We have found in recent years that there are a significant number of patients who take advantage of our program by not providing their insurance information to the billing company. This practice results in the loss of significant revenue to the fire department.

Recently the Ohio Attorney General's office (AGO) has expanded their collections program to include local governments for the purpose of collecting this revenue. With this program we would provide billing information of non-payers from the billing company to the AGO. They would then contact the debtor and work to collect the payment in-house for 150 days or longer if the debtor sets up a payment plan and remains in compliance. The AGO will confirm contact information, send out a series of automated collection letters, and make a series of collections calls. As payment, the AGO assesses a 10% fee that is passed on to the debtor. Should this program not yield the desired results, the City will have the option of allowing the AGO to turn the information over to an external collections agency that would attempt for an additional 180 days to gain compliance. This additional cost would also be borne by the debtor. The last step that could be taken would be turning the account over to external private attorneys (Special Counsel) that would attempt to gain compliance for an additional two years. The cost of this step would also be added to the debtor account. This plan also allows for the AGO to capture any Ohio tax refund or lottery winnings due the debtor, if the debtors social security number is on file.

If it is determined that the debtor does not have the ability to pay, the City still has the right to relieve the debt and cancel the collections activities by the OAG.

Approved By:

Department Head:

City Manager:

Initial Date

JPD 4-27-15 MAC

BRK 5/1/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANGER TO ENTER INTO AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL'S OFFICE FOR DEBT COLLECTION SERVICES.

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

SECTION 1: The City Manager and the Fire Chief recommend the City Manager be authorized to enter into an agreement with the Ohio Attorney General's Office for debt collection services in a form substantially similar to Exhibit "A" attached hereto.

SECTION 2: City Council hereby accepts the recommendation of the City Manger and the Fire Chief and authorizes the City Manager to enter into an agreement with the Ohio Attorney General's Office for debt collection services in a form substantially similar to Exhibit "A" attached hereto.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)



MIKE DeWINE

★ OHIO ATTORNEY GENERAL ★

150 East Gay Street, 21st Floor
Columbus, OH 43215
www.Ohio.AttorneyGeneral.gov

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

I. PARTIES

- 1.1. THIS DELINQUENT DEBT COLLECTION AGREEMENT (this "Agreement") is between the Ohio Attorney General (hereinafter "Attorney General") and _____ ("Political Subdivision"), collectively referenced herein as the "Parties."

II. PURPOSE

2.1. The Political Subdivision has requested that the Attorney General undertake, and the Attorney General agrees to undertake, the collection of delinquent debt owed to the Political Subdivision, pursuant to Ohio Revised Code ("O.R.C.") § 131.02. This Agreement sets forth the rights, duties and obligations of the Parties and the amounts to be charged, collected and allocated between the Political Subdivision and Attorney General. This Agreement will become effective in ten business days once fully executed ("Effective Date").

III. CERTIFICATION OF DEBT

3.1. The Parties agree that this Agreement shall apply to amounts owed to Political Subdivision that meet the criteria specified on the attached Exhibit "A" (hereinafter the "Debt"). The Parties may, from time to time, change the categories of debt to be certified to the Attorney General by amending Exhibit "A" pursuant to the discretion of the Section Chief of the Collections Enforcement Section of the Attorney General and _____ of the Political Subdivision. Such changes to the categories of debt identified on Exhibit "A" shall not be construed as an amendment or termination of this Agreement.

3.2. Political Subdivision hereby warrants that all Debts certified to the Attorney General for collection pursuant to this Agreement are or will be legally due and owing to Political Subdivision at the time of certification.

3.3. Political Subdivision hereby warrants that it has complied or will comply with all conditions precedent to the legality of certifying the Debt for collection prior to certifying the Debt to Attorney General pursuant to this Agreement.

3.4. Political Subdivision hereby warrants that it has obtained the approval of any person or entity whose approval is required as a condition to entering into this Agreement. True and correct copies of any such approvals shall be attached hereto as Exhibit "B."

3.5. Political Subdivision shall identify and itemize the amounts owed in any bills or mailings issued to the debtors prior to certifying the Debt pursuant to this Agreement. Such itemization shall separately identify penalties, fees, costs and interest, if any, added to the principal balance of the amounts owed. For all Debt certified under this Agreement, Political Subdivision shall maintain account records documenting the principal balance of the amounts owed, as well as any penalties, fees, costs and interest, from the date such debt becomes due and owing to Political Subdivision until the debt is paid in full, resolved or written off as specified herein.

3.6. Political Subdivision shall make all account records related to the Debt fully available to specified Attorney General personnel in order for the Attorney General to actively identify and pursue collection activities. Political Subdivision shall retain account records related to the Debt so long as the Debt remains outstanding, or until the Debt is resolved or written off as specified herein.

3.7. Political Subdivision agrees and shall forward all payments received on certified Debt to the Attorney General. In the event that Political Subdivision accepts a debtor's payment on Debt certified to the Attorney General, Political Subdivision agrees to promptly notify the Attorney General of the details of the payment, including date, amount, remitter, check or instrument number and forward the payment to the Attorney General.

3.8. In the event that any debtor owing Debt certified to the Attorney General files bankruptcy or other insolvency proceeding, Political Subdivision shall immediately notify the Attorney General of such filing. The Attorney General shall cease all collection efforts with regard to such Debt. Political Subdivision remains exclusively and solely responsible for protecting its interest in bankruptcy & other insolvency proceedings. Upon notice that Debt certified to the Attorney General is subject to bankruptcy or other insolvency proceeding, the Attorney General shall close the affected accounts and such accounts shall no longer be considered to be certified to the Attorney General. Other insolvency proceeding may include but is not limited to receivership or foreclosure.

IV. ALLOCATION OF FEES AND COLLECTION COSTS

4.1 The client may choose for each account certified to the Attorney General to bear interest (hereinafter "AGI") at the annual rate established by the Tax Commissioner under O.R.C. § 5703.47. Upon recovery AGI is paid to Political Subdivision, not to Attorney General. AGI may be waived, either by Political Subdivision or the Attorney General. Political Subdivision also has discretion to request that AGI not be assessed as an additional obligation of debtors. If this request is indicated, the cost of AGI will not be added to the Debt. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision as to AGI. If no preference is indicated, Attorney General may waive AGI at its discretion, and the addition of AGI to the Debt will increase the debtors' obligation. The AGI is in place of any separate accruing interest of the Political Subdivision on the Debt once certified to the Attorney General.

4.2 Pursuant to O.R.C. § 131.02, the Attorney General is authorized to deduct the Attorney General's collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General. Attorney General collection costs may be waived, either by the Attorney General or jointly by the Political Subdivision and the Attorney General. The Parties agree that the Attorney General will pass all Attorney General collection costs on to the debtor as an additional obligation of debtor. The Attorney General collection cost is 10% pursuant to O.R.C. § 109.08.

4.3 Upon agreement, the Attorney General may also hire third party vendors to collect claims for Political Subdivision and to pay such third party vendors for their services ("TPV Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to TPVs. If no preference is indicated the Attorney General will assign Debt to TPVs in accordance with an established assignment strategy. TPV fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all TPV Fees on to debtors as an additional obligation of the debtors.

4.4 Upon agreement the Attorney General may appoint special counsel to collect claims for Political Subdivision and to pay such special counsel for their services ("Special Counsel Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to Special Counsel. If no preference is indicated the Attorney General will assign Debt to Special Counsel in accordance with an established assignment strategy. Special Counsel Fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all Special Counsel Fees on to debtors as an additional obligation of the debtors.

4.5 Political Subdivision may execute a different Service Level Agreement for each category of debt certified pursuant to this Agreement, and each Service Level Agreement shall be attached as additional pages of Exhibit "C."

4.6 Political Subdivision may change or terminate the Service Level Agreement(s) attached hereto as Exhibit "C" upon appropriate written notice as specified therein, and any change or termination of the Service Level Agreement(s) shall not be construed as an amendment or termination of this Agreement.

V. DISBURSEMENT PROCESS/PAYMENT OF COLLECTION COSTS

5.1 On a weekly basis the Attorney General shall disburse to the Political Subdivision the full amounts collected on the Debt minus any applicable collection costs or fees as outlined herein. The Political Subdivision and Attorney General shall have the authority to settle or compromise any account in the Debt which is agreed upon by the Political Subdivision and Attorney General as payment in full based on the best interests of the Parties. At the time of the Attorney General's disbursement to the Political Subdivision, the Political Subdivision will receive the amount collected minus the Attorney General's collection costs and any applicable TPV Fees or Special Counsel Fees pursuant to this Agreement.

5.2 The Parties agree that court cases and judgment liens shall not be dismissed or deemed satisfied without the Political Subdivision's consent that all the fees have been paid by the debtor liable for costs under the court case and/or judgment lien.

5.3 Disbursements to the Political Subdivision of amounts due hereunder may be made via state check or by Automated Clearing House ("ACH") deposit, at the Attorney General's discretion. Political Subdivision acknowledges that the Attorney General prefers to remit all payments by ACH deposit, and Political Subdivision agrees to execute an ACH payment authorization in accordance with the form attached hereto as Exhibit "D" within thirty (30) days after the Effective Date of this Agreement.

VI. CERTIFICATION AND CANCELLATION OF DEBT

6.1. Political Subdivision will certify only Debt to the Attorney General which is past due and final, in accordance with O.R.C. § 131.02(A). O.R.C. § 131.02 provides that the Attorney General and Political Subdivision may determine an appropriate time beyond the regular 45-day requirement to certify delinquent debt. Such exceptions may be made as the Attorney General and the Political Subdivision mutually agree are appropriate.

6.2. The Parties acknowledge and agree that O.R.C. §131.02 empowers the Attorney General to, with the consent of the chief officer of an entity reporting a debt, cancel the debt or cause the same to be canceled. O.R.C. § 131.02(F)(2) provides a general statute of limitations of forty (40) years from the date of certification to collect claims. O.R.C. § 131.02(F)(1) allows the Attorney General to cancel uncollectible claims earlier, with the approval of the Political Subdivision. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision. If no preference is indicated, the write off period will be fifteen (15) years after the date of certification. Exceptions revising the write off period for specified claims or categories of debt may be agreed to by the Attorney General and the Political Subdivision as amendments to the Service Level Agreement, and such amendments shall not be construed as an amendment or termination of this Agreement.

VII. CONFIDENTIALITY

7.1. Any confidential debtor information made available to Attorney General in the course of performance of this Agreement shall be used only for the purpose of carrying out the provisions of this Agreement pursuant to the Attorney General's statutory obligations. Additionally, the Attorney General shall not sell any debtor information to any third parties.

VIII. LIABILITY

8.1. Each Party shall be responsible for its own acts and omissions and those of its officers, employees and agents.

IX. CHOICE OF LAW

9.1. This Agreement is made and entered into in the State of Ohio and shall be governed and construed in accordance with the laws of Ohio. Any legal action or proceeding related to this Agreement shall be brought in Franklin County, Ohio, and the Parties irrevocably consent to jurisdiction and venue in Franklin County, Ohio.

X. COMPLIANCE WITH LAW

10.1. The Parties, in the execution of their respective duties and obligations under this Agreement, agree to comply with all applicable federal, Ohio and local laws, rules, regulations and ordinances.

XI. RELATIONSHIP OF THE PARTIES

11.1. It is fully understood and agreed that a Party's personnel shall not at any time, or for any purpose, be considered as agents, servants, or employees of the other Party.

11.2. Except as expressly provided herein, neither Party shall have the right to bind or obligate the other Party in any manner without the other Party's prior written consent.

XII. MODIFICATION

12.1. This Agreement constitutes the entire agreement between the Parties, and any changes or modifications to this Agreement shall be made and agreed to by the Parties in writing.

XIII. TERMINATION/EXPIRATION

13.1. Either party may terminate this Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination, to the other Party via e-mail, facsimile transmission, mail, certified mail or personal delivery to the other Party's signatory to this Agreement.

13.2. If there is pending litigation in connection with any Debt, termination shall not be effective until the Attorney General terminates the legal representation in the litigation matter. The Attorney General shall be compensated for Debt collected and received prior to termination. The Parties agree to cooperate so as to effectuate a speedy and efficient transfer of the work to Political Subdivision.

XIV. SIGNATURES

14.1. The Parties may submit their signatures to the Agreement in counterparts, which taken together will constitute a valid enforceable Agreement. Facsimile or copied signatures shall be considered valid and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

Date

OHIO ATTORNEY GENERAL
MICHAEL DEWINE

By: _____

Lisa J. Iannotta
Section Chief

Date

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "A"

The Parties agree that the following categories of debt may be certified to the Attorney General. All debt must be final with a minimum principal amount of \$100.00.

Examples of Categories of Debt to be certified:

- (a) Statutory fees as assessed by a Political Subdivision;
- (b) Civil court costs; and
- (c) Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
- (d) Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes.
- (e) Debt from a school system must be as a result of a contractual agreement.

Examples of Categories of Debt NOT to be certified:

- (a) Debt that is against a juvenile.
- (b) Debt against a presently incarcerated individual.
- (c) Debt that is involved in a bankruptcy, rental or foreclosure action.
- (d) Debt from any type of utility.
- (e) Debt resulting from code enforcement violations.

**PLEASE NOTE: THE ATTORNEY GENERAL'S OFFICE RESERVES THE RIGHT TO
DECLINE ACCEPTANCE OF ACCOUNTS BASED ON QUANTITY, VALUE, OR DEBT TYPE**

**PLEASE LIST THE TYPE OF DEBTS YOU WILL BE CERTIFYING TO THE
ATTORNEY GENERAL'S OFFICE:**

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "B"

The Delinquent Debt Collection Agreement Between the Ohio Attorney General and

, executed by _____,

, on _____, is hereby ratified and approved.

POLITICAL SUBDIVISION AUTHORITY (I.E. COUNTY COMMISSIONERS, COUNCIL)

Date _____

Date _____

Date _____

POLITICAL SUBDIVISION LEGAL AUTHORITY (I.E. PROSECUTOR, LAW DIRECTOR)

Date _____

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

**EXHIBIT "C"
SERVICE LEVEL AGREEMENT**

The following Service Level Agreement is made between the Attorney General of Ohio, Collections Enforcement Section ("AGO") and ("CLIENT"), collectively referenced herein as the "Parties". CLIENT authorizes and the Parties to this Service Level Agreement agree to the following (if no line is checked, the Parties' agreement is indicated by asterisk, which is the default agreement):

Attorney General Interest (AGI) ☐ AGO is granted the authority to add AGI to the amount owed by the debtor to be paid to the client (see section IV (4.1) of the Debt Collection Agreement.

AGI ☐ AGO is NOT granted the authority to add AGI to the amount owed by the debtor to be paid to the client.

If AGI is to be added ☐ AGO is granted the authority to waive AGI*
☐ CLIENT and AGO jointly waive AG Interest

Write Off Period: ☐ 15 years*
☐ Years (insert number of years)

Third Party Vendor: ☐ AGO will forward uncollected Debt.*
☐ AGO will not forward uncollected Debt.

Special Counsel: ☐ AGO will forward uncollected Debt.*
☐ AGO will not forward uncollected Debt.

Either Party may terminate this Service Level Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination to the other Party, via e-mail, facsimile transmission, regular U.S. mail, certified mail or personal delivery to the other Party's signatory to this Agreement. Regardless of the termination of this agreement, CLIENT is still legally obligated to certify its outstanding Debt pursuant to the Delinquent Debt Collection Agreement between the Parties, until that Agreement is separately terminated. This Service Level Agreement shall remain and continue in full force and effect unless modified or terminated in writing.

IN WITNESS WHEREOF, the Parties hereto have caused this Service Level Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

Date

OHIO ATTORNEY GENERAL
MICHAEL DEWINE

By: _____
Lisa J. Iannotta
Section Chief

Date

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 5/5/2015

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

4/29/2015
Date Prepared

Agenda Title:	2015 Supplemental Budget #3
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Recommendation:	Approve
------------------------	----------------

Issue 1

To reflect proceeds from reimbursements over budgeted amount and appropriations for the purchase of 300 additional tons of salt
2014-2015 Salt - \$66.71/ton, 2015-2016 - \$74.10/ton an 11.15 increase, option to purchase at 2014-2015 price ends May 31, 2015

Action Needed:

Revenue Side

Street (122)	7,084.63	Reimbursements in excess of budgeted amount (\$5,000) as of 4/29/15
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Expense Side

Street (122)	20,013.00	Advance to Oxford Area Trail Capital Improvement Fund
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(12,928.37)	
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(12,928.37)	
---	-------------	--

Breakdown by Fund

Street (122)	(12,928.37)	
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(12,928.37)	
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Approved By:	Department Head:	Initials Date
--------------	------------------	--

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3286. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015.

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

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

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

Street Fund 122	7,084.63
-----------------	----------

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

Street Fund 122	20,013.00
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SECTION 4: In all other respects, Ordinance No. 3286 shall remain in full force and effect.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development

Council Meeting Of: April 21, 2015

Originating Department

Account Code No. #: N/A

Jung-Han Chen

Prepared By

Budgeted Amount: N/A

April 17, 2015

Date Prepared

Agenda Title: PC-2015-06 PRELIMINARY SUBDIVISION The Fields of Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, Trinitas Development, LLC, Applicant/Agent

Recommendation: See below

Discussion:

Based on the comments during Oxford City Council meeting, the applicant provided a revised preliminary plat on April 13, 2015. The following changes were made to the original preliminary plat:

- (1) The mid-block pedestrian path has been re-aligned to create a direct alignment.
- (2) Alley D has been eliminated.
- (3) The lots in the cul-de-sac of street D have been reconfigured to keep the buildable areas of the lots out of the proposed conservation easement.
- (4) Lots 82 and 83 have been reconfigured to keep the buildable areas of the lots out of the proposed conservation easement.

The City Manager, City Law Director, Service Director and Community Development Director reviewed the changes and created a set of conditions for Council to consider for the Preliminary Subdivision application approval:

1. Given the ROW standard the applicant has designed to, a note shall be added to the plans indicating parking will be restricted on one side of the streets to allow for two way traffic.
2. Turning radii shall be shown on all street curves and cul-de-sacs with a note that all turning movement design criteria have been met.

3. Alleys shall be private and shall be maintained by the HOA governing the development. Plans shall note signage to be installed describing such.
4. Given that alleys are only paved to a 12' width, the alleys shall be "one way". Plans shall show the restriction and be consistent throughout the development.
5. A Home Owners Association shall be created for the maintenance of open space, multi paths, private alleys and other common areas.
6. The developer shall provide for the HOA to hold title to the land noted on the site plan time stamped April 13, 2015, as conservation land, to be held by the HOA in perpetuity subject to a conservation easement; in the name of Three Valley Conservation Trust or another eligible entity as "green Space". Lots number 1, 5, 6, 7, 8, and 9 shall be redrawn to remove the conservation easement land from the area included in those lots. Lots number 81,82 and 83 shall also be redrawn to remove the land noted as conservation easement from these lots. The conservation easement shall provide that the care and upkeep of the green space within the conservation easement shall be the responsibility of the HOA subject to the easement terms.
7. Prior to any Final Subdivision application being submitted, the applicant shall submit the findings of the analysis performed by the firms prequalified by ODOT, of the following areas: (a) habitats of endangered species listed on federal and state list; (b) historical and cultural significant structures or sites as stipulated in Section 1101.402 (B) (5); (c) tree growth areas containing native mature trees. (The report titled "Phase I Environmental Site Assessment of Vacant Property in Oxford, Ohio, Southpointe Parkway and Corporate Woods Lane" dated April 29, 2014 submitted by the applicant was solely focused on environmental contaminant issues on and off-site, no analysis on historical or cultural significant structures or sites has been conducted. No native mature trees have been identified.)

Approved By:

Department Head:
City Manager

Initial Date

JHC \ 4-17-15
DRE \ 4-17-15 / MAE

ORDINANCE NO.

AN ORDINANCE APPROVING THE PROPOSED PRELIMINARY SUBDIVISION APPLICATION FOR THE FIELDS AT SOUTHPOINTE WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on March 10, 2015, the purpose of which was to accept public comment on PC-2015-06 the proposed Preliminary Subdivision application for The Fields at Southpointe.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to deny a motion recommending approval of the proposed Preliminary Subdivision application for the Fields at Southpointe.

SECTION 3: Council hereby accepts the action of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and the applicant's application and all documents filed by the applicant and incorporates the same herein and hereby approves the application for the Preliminary Subdivision for The Fields at Southpointe, dated April 13, 2015, with the following conditions:

1. The subdivision plans, dated April 13, 2015, (hereinafter referred to as "Subdivision Plans") shall be revised to reflect that parking will be restricted on one side of all streets of the subdivision to allow for two way traffic.
2. The Subdivision Plans shall reflect turning radii on all street curves and cul-de-sacs to demonstrate that all turning movement design criteria have been satisfied.
3. The Subdivision Plans shall reflect that the alleys shall be private and shall be maintained permanently by the Homeowner's Association governing the development. The subdivision plans shall note signage to be installed describing all alleys as private.
4. The alleys shall be "one-way". The subdivision plans shall show the "one-way" restriction and be consistent in direction throughout the development.

5. A Homeowner's Association ("HOA") shall be created and remain active into perpetuity for the maintenance of the subdivision, including but not limited to open space, multi-path, private alleys and other common areas.
6. Developer shall provide for the HOA to hold title to the land noted on the Subdivision Plans as conservation land, to be held by the HOA in perpetuity subject to a conservation easement; in the name of Three Valley Conservation Trust or another eligible entity, as "green space". Lots number 1,5,6,7,8 and 9 shall be redrawn to remove the conservation easement land from those lots. Lots number 81, 82 and 83 shall also be redrawn to remove the land noted as conservation easement from those lots. The conservation easement shall provide that the care and upkeep of the green space within the conservation easement shall be the responsibility of the HOA subject to the easement terms.
7. Prior to any Final Subdivision application being submitted, the applicant shall submit the findings of the analysis, performed by firms prequalified by ODOT, of the following areas: (a) habitats of endangered species listed on federal and state list; (b) historical and cultural significant structures or sites as stipulated in Section 1101.402(B)(5); (c) tree growth areas containing native mature trees.¹
8. The Subdivision Plans shall reflect a temporary access drive on the eastern portion of the Subdivision Plans extending from Southpoint Parkway as shown on the site plan analysis performed by Bayer Becker dated January 23, 2015.
9. A landscaping plan that provides for screening, shall be submitted for review and consideration by the Planning Commission and City Council, during the Final

¹ The report titled "Phase I Environmental Site Assessment of Vacant Property in Oxford, Ohio, Southpointe Parkway and Corporate Woods Lane" dated April 29, 2014 submitted by the applicant was solely focused on environmental contaminant issues on and off-site, no analysis on historically or culturally significant structures or sites has been conducted. No native mature trees have been identified.

Subdivision Plan submission, specifically for the lots along street "G" and the extension of Southpointe Blvd to the eastern boundary of this subdivision, more specifically for lots numbers 68 to 74 of the Subdivision Plans, to shield the rear of the those structures from the public right-of-way.

10. A landscaping plan shall be submitted for review and consideration by the Planning Commission and City Council, during the Final Subdivision Plan submission, that provides for the HOA to maintain landscape screening along the property boundary adjacent to alley "E" and alley "F" if and when any future roadway is constructed adjacent to the eastern boundary of the subdivision.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)



*Where Creativity
Meets Functionality*

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

April 13, 2015

Mr. Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, Ohio 45056

Re: The Fields at Southpointe
Preliminary Plat Re-Submittal

Dear Mr. Perry:

As a follow up to the City Council meeting of April 7, 2015, enclosed please find the following items:

- 1) Twenty (20) packets containing one copy of each of the following:
 - a. Revised Preliminary Plat.
 - b. Revised Site Analysis.
 - c. Revised Landscape Plan.
- 2) A CD containing an electronic copy of the above items.

In response to City Council's comments, the following revisions have been made to the Preliminary Plat:

- 1) The mid-block sidewalk from Street A to Southpointe Parkway has been re-aligned to create a more direct alignment.
- 2) Alley D has been eliminated.
- 3) The lots in the cul-de-sac of Street D have been reconfigured to keep the buildable areas of the lots out of the proposed conservation easement.
- 4) Lots 82 and 83 have been reconfigured to keep the buildable area of the lots out of the proposed conservation easement.

Per the Staff Report to Planning Commission dated March 10, 2015 and to City Council dated March 30, 2015, you had indicated a lack of complete information regarding Sensitive Development Areas, Section 1101.402(B)(1-8). The following is a list of each item and its relevance to the project:

- 1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404 Federal Water Pollution Act, as amended and in Ohio Environmental Protection Agency Standards.
As indicated on the maps contained in the Phase 1 Environmental Site Assessment Report of Vacant Property in Oxford Ohio, Southpointe Parkway and Corporate Woods Lane, dated April 29, 2014 and submitted to staff on March 4, 2015, no wetlands are located within the project limits.
- 2) Land in the floodway as identified and mapped using the Federal Emergency Management Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled "Flood Insurance Rate Maps for Butler County, Ohio and Incorporated areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.

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

318 South College Avenue
Oxford, OH 45056
513-523-4270

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

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

<http://www.bayerbecker.com>

According to Panels 39017C0151E and 39017C0152E of the Flood Insurance Rate Maps, dated 12/17/2010, a small portion of the property, located in the north conservation easement is located within the FEMA mapped floodplain. Said area has been located on the Site Analysis Plan.

- 3) Steep slope (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.

All areas of slopes 15% or greater were shown as a dot hatched area on the Site Analysis Plan submitted on January 23, 2015. As indicated in our submittal letter of January 23, 2015, in order to minimize the impact to the existing topography and vegetation the homes to be constructed in these areas will be constructed with either walkout basements or extended foundations,

- 4) Habitats of endangered wildlife, as identified on federal and state lists.

The Phase 1 Environmental Site Assessment Report of Vacant Property in Oxford Ohio, Southpointe Parkway and Corporate Woods Lane, dated April 29, 2014 and submitted to staff on March 4, 2015, did not indicate the presence of endangered wildlife within the project limits.

- 5) Historically and culturally significant structures and sites as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.

The Phase 1 Environmental Site Assessment Report of Vacant Property in Oxford Ohio, Southpointe Parkway and Corporate Woods Lane, dated April 29, 2014 and submitted to staff on March 4, 2015, did not indicate the presence of historically or culturally significant structures and sites. Rather the Assessment indicates that according to historical resources reviewed, the subject property was used as agriculture lands as shown on a 1950 aerial photograph.

- 6) Aquifers and tributary drainage systems.

As indicated in the Phase 1 Environmental Site Assessment Report of Vacant Property in Oxford Ohio, Southpointe Parkway and Corporate Woods Lane, dated April 29, 2014 and submitted to staff on March 4, 2015, an ephemeral stream is located in the southern portion of the property. Said stream will be avoided or properly taken care of with the development of the property.

- 7) Tree growth or urban forested areas containing native mature trees.

As part of the field topographic survey, the location of areas of tree growth were located. Said areas were shown on the Site Analysis Plan submitted on January 23, 2015.

- 8) Any area as identified on Map 3.3 of the Comprehensive Plan.

The Comprehensive Plan was adopted in 2008. Based upon review of historic aerial photos, the outline of the natural areas depicted in the Comprehensive Report did not accurately reflect the vegetated areas of the site at that time. Per the attached aerial photo from 2006, only the northeastern portion along Corporate Woods Lane and the southwest corner of the development contained vegetation.

Lastly, Article VI B of the Development Agreement between the City of Oxford and 4-Leaf Development LLC, indicates that at the request of the City, 4-Leaf shall grant to Three Valley Conservation Trust, or another agreed upon eligible entity, a conservation easement over a portion of the property located at both the north and south ends of The Fields at Southpointe development. As aforementioned, the lots in the cul-de-sac of Street D and along the north side of Corporate Woods Lane have been reconfigured so that the proposed Conservation Easements will not be reduced from that shown in the Development Agreement and will not be contained within the buildable areas of the lots. It should be noted that the amount of Conservation Easement to be granted by this development will actually exceed the amount outlined in the Development Agreement. The revised limits of the Conservation Easement have been shown on the enclosed Site Analysis Plan.

Page 3
Mr. Sam Perry
The Fields at Southpointe
April 13, 2015

Since the conservation easements will be contained on lots owned by both the HOA and private individuals, Trinitas Development LLC proposes to include the following verbiage on the Record Plat for the protection of said easements:

The conservation easements shown on Lots XXX have been established to preserve existing trees. No living and healthy deciduous or evergreen trees located within this easement shall be removed without the approval of (agency holding the easement) and the City of Oxford. The owners of lots XXX ("Owners") may cut and remove any dead standing trees, fallen trees, diseased trees and undergrowth within the easement. The Owners shall not conduct or permit to be conducted any type of activity within the easement which will cause the existing trees to be harmed or killed, including but not limited to mass filling or removal or soil or the spraying of dangerous herbicides. The owner may supplement the exiting plants in the easement with additional trees or vegetation of a species native to the Oxford Ohio area.

Please forward the enclosed information and this letter to City Council for the April 21, 2015 meeting.

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

Sincerely,



Etta M. Reed, PE

Cc: Travis Vencel, Trinitas Development LLC
Jay Bennett

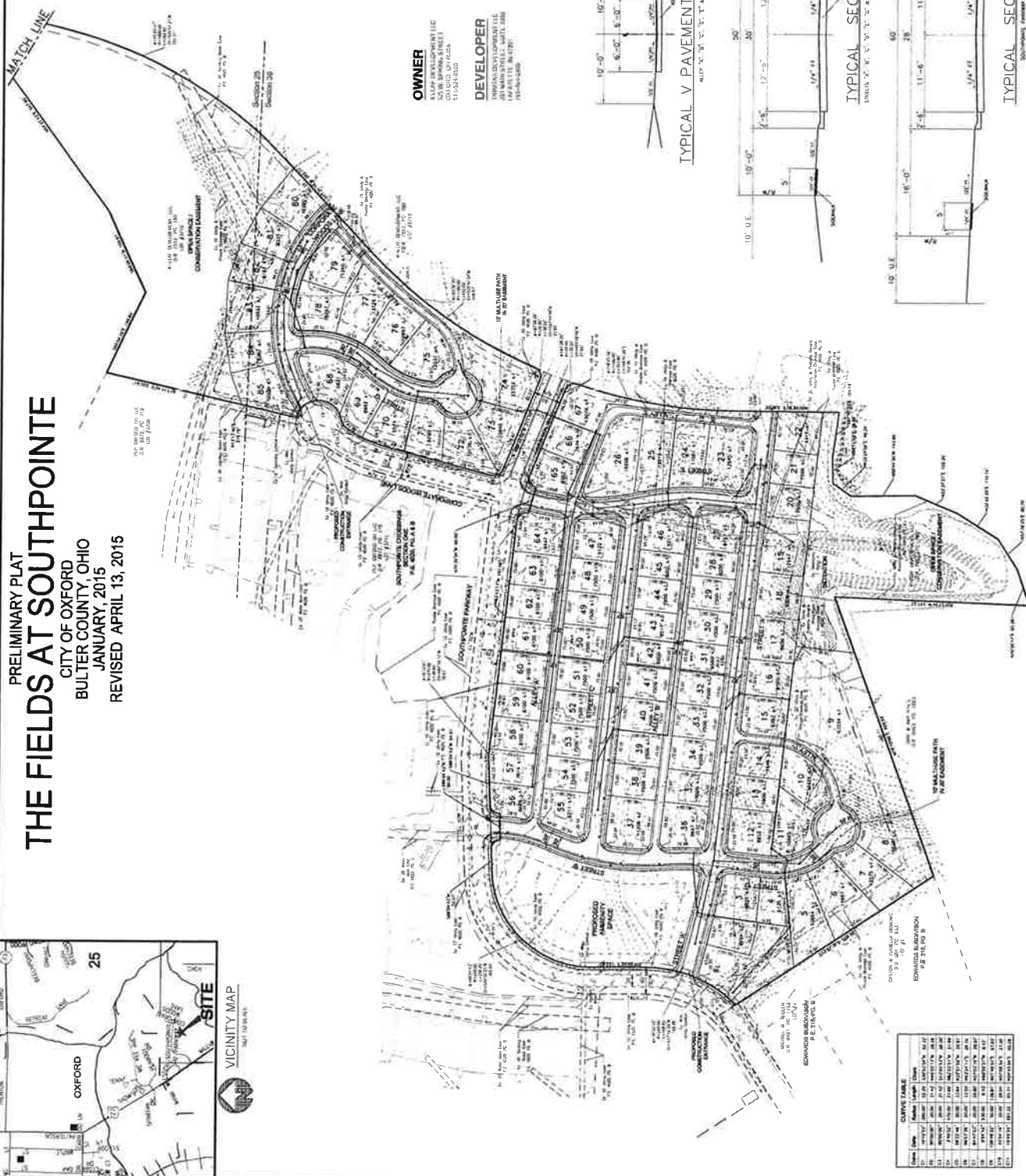
Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

<http://www.bayerbecker.com>



Google earth

CITY OF OXFORD
BULTER COUNTY, OHIO
JANUARY, 2015
REVISED APRIL 13, 2015



LOT FRONTAGE (MIN)	60'
SQUARE FOOTAGE (MIN)	6,000
FRONT SETBACK (MIN)	30'
SIDE SETBACK	7.5'
REAR SETBACK	30'

Total Residential Lots = 65
Total Acreage Spaced Lot = 1
Total Open Space = 8,749 Acres
Total Acreage = 37,013 Acres
Over-All Density = 230 Units/Ac

1. Sanitary sewer, storm sewer, and water main shall be connected to the existing City of Olatov sewerage and water main in the City of Olatov.
2. Electric to be supplied by Duke Energy
3. All public streets to be constructed according to City of Olatov standards and specifications.
4. Contours furnished from aerial photography based on U.S.G.S. datum
5. Concrete Walk to be installed along public roadway
6. Total Acreage 37.013 Acres
7. Easement Zoning R-2A Single & Two Family

DAVID H. DOWNS

CONCRETE DIVISION
 121 MAIN STREET
 NEW YORK, N.Y. 10038

TYPICAL V PAVEMENT SECTION



TYPICAL SECTION

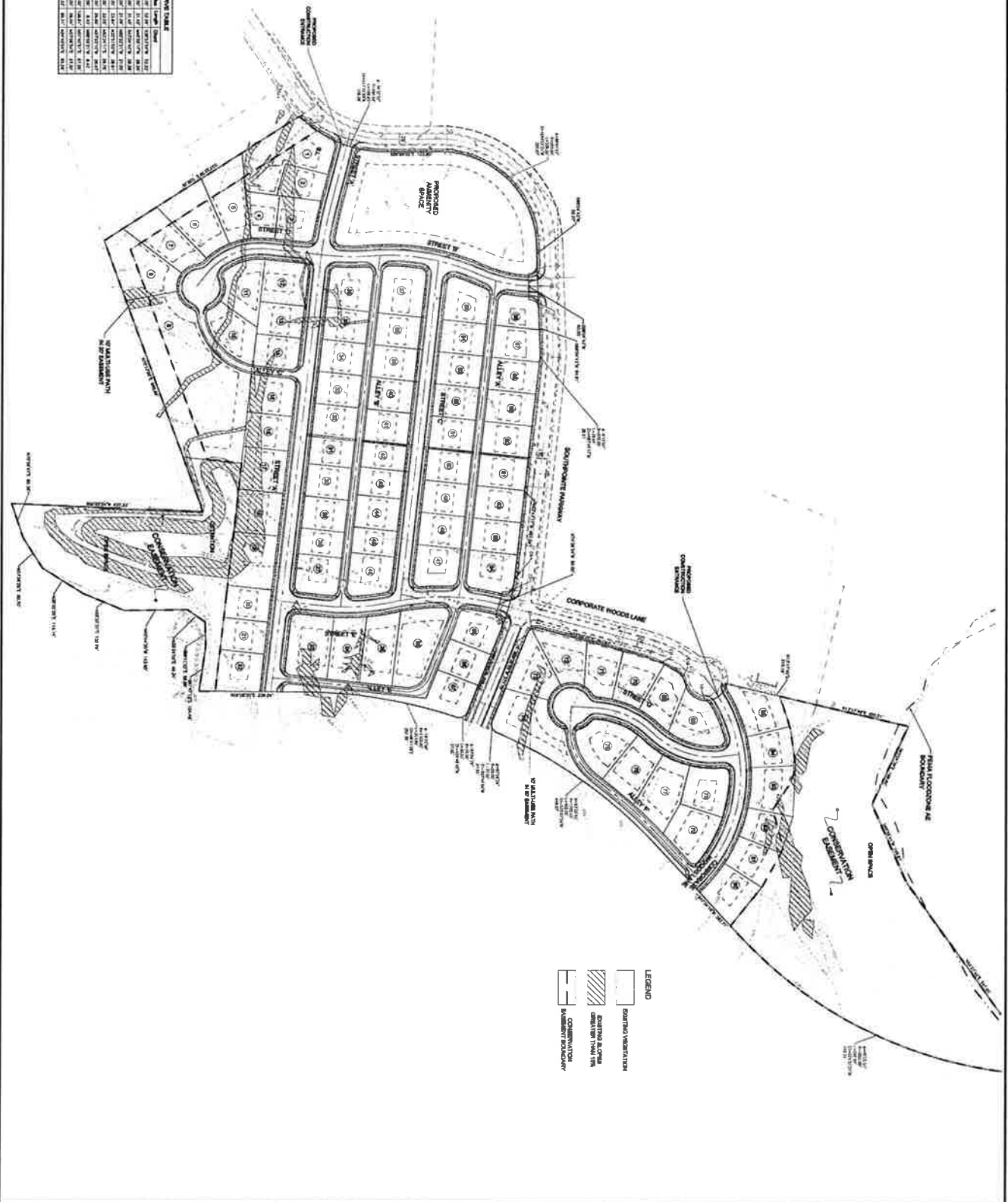


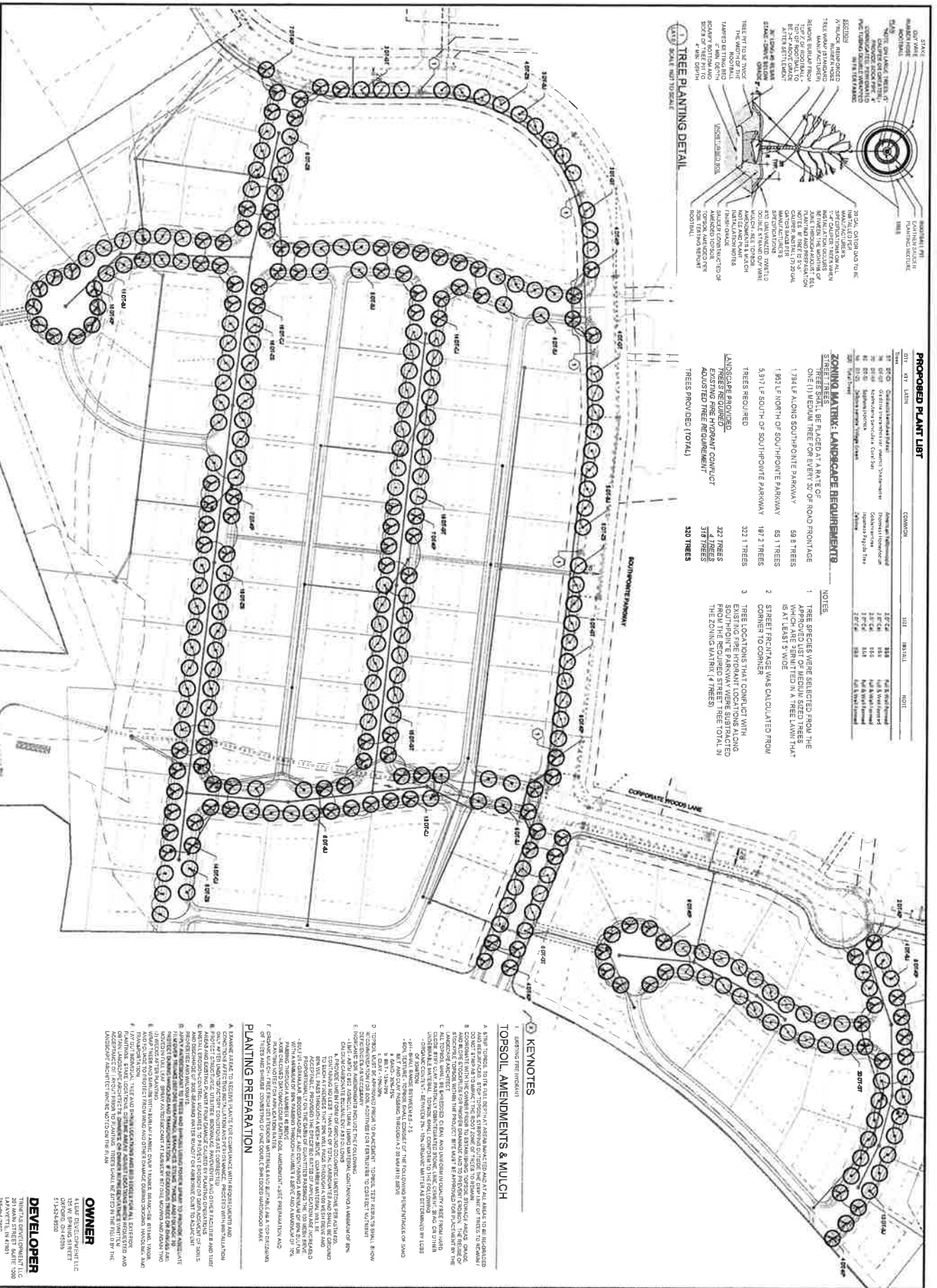
TYPICAL SECTION



CLIMATE TABLE				
Clones	Date	Radius	Length	Clant
12	1992.07.17	200.00	2.20	2.20/2.20/0.0
13	1992.07.17	200.00	2.20	2.20/2.20/0.0
14	1992.07.17	200.00	2.20	2.20/2.20/0.0
15	1992.07.17	200.00	2.20	2.20/2.20/0.0
16	1992.07.17	200.00	2.20	2.20/2.20/0.0
17	1992.07.17	200.00	2.20	2.20/2.20/0.0
18	1992.07.17	200.00	2.20	2.20/2.20/0.0
19	1992.07.17	200.00	2.20	2.20/2.20/0.0
20	1992.07.17	200.00	2.20	2.20/2.20/0.0
21	1992.07.17	200.00	2.20	2.20/2.20/0.0
22	1992.07.17	200.00	2.20	2.20/2.20/0.0
23	1992.07.17	200.00	2.20	2.20/2.20/0.0
24	1992.07.17	200.00	2.20	2.20/2.20/0.0
25	1992.07.17	200.00	2.20	2.20/2.20/0.0
26	1992.07.17	200.00	2.20	2.20/2.20/0.0
27	1992.07.17	200.00	2.20	2.20/2.20/0.0
28	1992.07.17	200.00	2.20	2.20/2.20/0.0
29	1992.07.17	200.00	2.20	2.20/2.20/0.0
30	1992.07.17	200.00	2.20	2.20/2.20/0.0
31	1992.07.17	200.00	2.20	2.20/2.20/0.0
32	1992.07.17	200.00	2.20	2.20/2.20/0.0
33	1992.07.17	200.00	2.20	2.20/2.20/0.0
34	1992.07.17	200.00	2.20	2.20/2.20/0.0
35	1992.07.17	200.00	2.20	2.20/2.20/0.0
36	1992.07.17	200.00	2.20	2.20/2.20/0.0
37	1992.07.17	200.00	2.20	2.20/2.20/0.0
38	1992.07.17	200.00	2.20	2.20/2.20/0.0
39	1992.07.17	200.00	2.20	2.20/2.20/0.0
40	1992.07.17	200.00	2.20	2.20/2.20/0.0
41	1992.07.17	200.00	2.20	2.20/2.20/0.0
42	1992.07.17	200.00	2.20	2.20/2.20/0.0
43	1992.07.17	200.00	2.20	2.20/2.20/0.0
44	1992.07.17	200.00	2.20	2.20/2.20/0.0
45	1992.07.17	200.00	2.20	2.20/2.20/0.0
46	1992.07.17	200.00	2.20	2.20/2.20/0.0
47	1992.07.17	200.00	2.20	2.20/2.20/0.0
48	1992.07.17	200.00	2.20	2.20/2.20/0.0
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51	1992.07.17	200.00	2.20	2.20/2.20/0.0
52	1992.07.17	200.00	2.20	2.20/2.20/0.0
53	1992.07.17	200.00	2.20	2.20/2.20/0.0
54	1992.07.17	200.00	2.20	2.20/2.20/0.0
55	1992.07.17	200.00	2.20	2.20/2.20/0.0
56	1992.07.17	200.00	2.20	2.20/2.20/0.0
57	1992.07.17	200.00	2.20	2.20/2.20/0.0
58	1992.07.17	200.00	2.20	2.20/2.20/0.0
59	1992.07.17	200.00	2.20	2.20/2.20/0.0
60	1992.07.17	200.00	2.20	2.20/2.20/0.0
61	1992.07.17	200.00	2.20	2.20/2.20/0.0
62	1992.07.17	200.00	2.20	2.20/2.20/0.0
63	1992.07.17	200.00	2.20	2.20/2.20/0.0
64	1992.07.17	200.00	2.20	2.20/2.20/0.0
65	1992.07.17	200.00	2.20	2.20/2.20/0.0
66	1992.07.17	200.00	2.20	2.20/2.20/0.0
67	1992.07.17	200.00	2.20	2.20/2.20/0.0

Item	Area	Volume	Notes
1	1.00	1.00	1.00
2	2.00	2.00	2.00
3	3.00	3.00	3.00
4	4.00	4.00	4.00
5	5.00	5.00	5.00
6	6.00	6.00	6.00
7	7.00	7.00	7.00
8	8.00	8.00	8.00
9	9.00	9.00	9.00
10	10.00	10.00	10.00
11	11.00	11.00	11.00
12	12.00	12.00	12.00
13	13.00	13.00	13.00
14	14.00	14.00	14.00
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93	93.00	93.00	93.00
94	94.00	94.00	94.00
95	95.00	95.00	95.00
96	96.00	96.00	96.00
97	97.00	97.00	97.00
98	98.00	98.00	98.00
99	99.00	99.00	99.00
100	100.00	100.00	100.00





**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: April 7, 2015

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

March 30, 2015
Date Prepared:

PC-2015-06 PRELIMINARY SUBDIVISION The Fields at Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, Trinitas Development, LLC, Applicant/Agent

Recommendation by the Planning Commission: Denial

Discussion:

The subject property is 37 acres of R2A-zoned land fronting on Southpointe Parkway and Corporate Woods Lane. The property has been mostly vacant other than agricultural use. There are 86 lots proposed for development, one of which is proposed for amenities for the residents of the subdivision, such as a clubhouse, pool and recreational courts. Much of the natural areas have been previously cleared but significant remnants of natural areas remain at the north and south ends of the site.

The applicant and consulting engineer (Bayer Becker) followed the provisions of the subdivision code and participated in a concept review at the staff level. The determination was that a Preliminary Plat application should be submitted for Planning Commission review.

The Preliminary Plat stage is the first formal step in the subdivision process. It offers the opportunity for the Commission, Staff and Applicant to work together to identify any issues prior to the development team commencing with construction plans. Per City of Oxford Code Section 1101.201(A), the Planning Commission reviewed the plat and did not recommend approval to City Council. After a lengthy discussion, the following items were identified as outstanding items:

1. Re-alignment of the mid-block pedestrian path
2. The lack of a vegetative/mature tree survey with a potential re-design of plat
3. Potential for lot line adjustments near sensitive lands
4. The creation of a home owner association for common areas such as narrow strips of land
5. The legality of the adjustment of the previously determined open space boundary
6. Lack of complete information regarding Sensitive lands per Section 1101.402(B)(1-8)
7. Different standard of measurement for traffic impact analysis
8. Restriction of parking to one side of street based upon street width and land use intensity

The Planning Commission voted 2-5-0 not recommending approval of the plat. City Council can discuss the outstanding items identified by the Planning Commission and categorize them based upon which ones can be addressed administratively and which ones may need additional information presented. If the plat is approved by City Council, the Preliminary Plat is valid for 3 years.

Approved By:

Department Head:
City Attorney:
City Manager:

Jack 4/2/15
DRE 4/2/15

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

<u>Report Date</u>	April 7, 2015
<u>Case Number</u>	PC-2015-06
<u>Applicant Information</u>	Trinitas Development, LLC 4-Leaf Development
<u>Requested Action</u>	Preliminary Subdivision The Fields at Southpointe
<u>Summary of Request</u>	To allow for a residential subdivision be developed upon 37.014 acres of land into 85 residential lots.
<u>Public Hearing Information</u>	On March 10, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on February 8, 2015. Courtesy notices were mailed to adjacent property owners on February 19, 2015.
<u>Commission Action</u>	The Planning Commission voted 2-5-0 recommending denial of the Preliminary Subdivision.
<u>Commission Findings and Conclusions</u>	The Planning Commission discussed at length this application. Several items were identified as outstanding issues.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated March 4, 2015 2. Interoffice Review Transmittal Sheets 3. Property Notification Map 4. Letter of Agency 5. Preliminary Subdivision Application Dated January 23, 2015 6. Supporting Documents from Applicant 7. Drawing

City of Oxford
Community Development Department
STAFF REVIEW & COMMENTS

Planning Commission

Case # PC-2015-06

Date – March 10, 2015

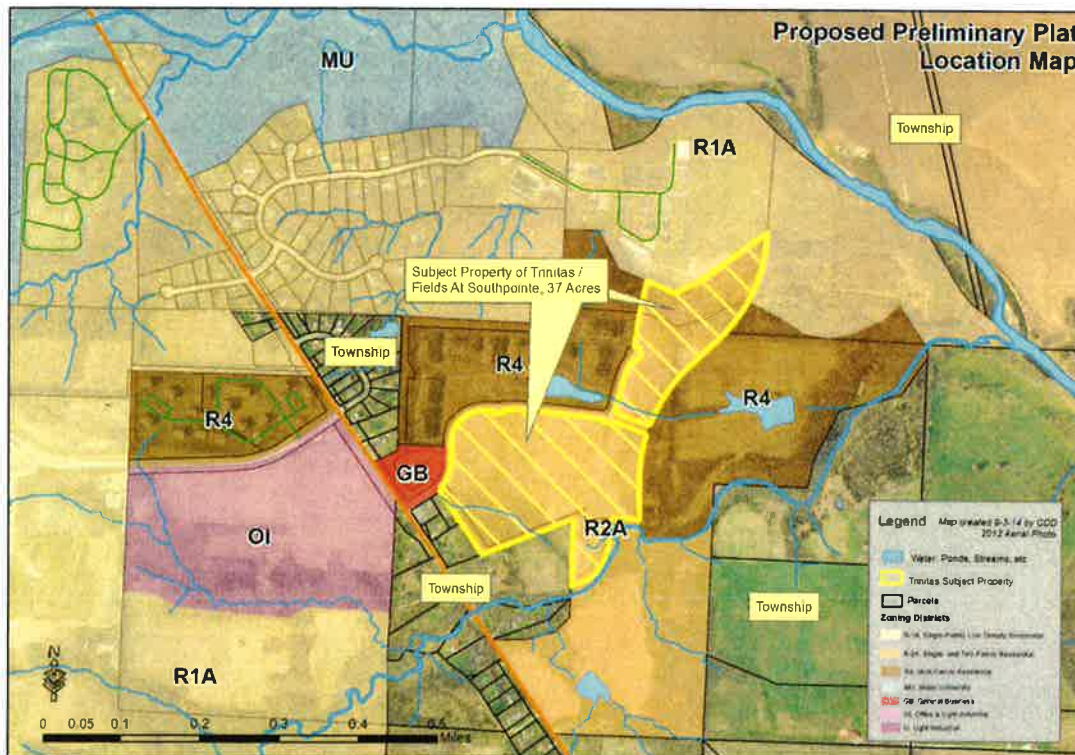
APPLICATION

Applicant: Trinitas Development LLC (Travis Vencel)
Location: Southpointe Parkway, Corporate Woods Lane
Owner: 4-Leaf Development

Action Request: **Recommendation to City Council for a Preliminary Plat of a Subdivision** (The Fields at Southpointe)
Current Zoning: R2A, Single and Two Family Residential
Current Use: Vacant Agricultural and Wooded Land
Surrounding Existing Land Uses: Multi-Family and Vacant

DESCRIPTION

The subject property is 37 acres of R2A-zoned land fronting on Southpointe Parkway and Corporate Woods Lane. The property has been mostly vacant other than agricultural use. There are 86 lots proposed for development, one of which is proposed for amenities for the residents of the subdivision, such as a clubhouse, pool and recreational courts. Much of the natural areas have been previously cleared but significant remnants of natural areas remain at the north and south ends of the site.



The applicant and consulting engineer (Bayer Becker) followed the provisions of the subdivision code and participated in a concept review at the staff level. The determination was that a Preliminary Plat application should be submitted for Planning Commission review.

The Preliminary Plat stage is the first formal step in the subdivision process. It offers the opportunity for the Commission, Staff and Applicant to work together to identify any issues prior to the development team commencing with construction plans. Per City of Oxford Code Section 1101.201(A), the Commission's role is to forward a recommendation of approval or disapproval to City Council. If approved by Council, the Preliminary Plat is valid for 3 years. No construction can occur until Final Plats are filed, approved and recorded.

COMMENT FORMS (Public Comments)

Some phone calls have been received about the proposed plat but no written public comments have been received in response to the public notice invitation.

SITE HISTORY

- A planned unit development was approved in 2004 by the Butler County Planning Commission
 - The subject property portion was labeled as a Business Planned Unit Development (B-PUD)
- A final Residential PUD, College Suites, 29 acres, was approved in 2005 for a portion of the area
 - "Level 27" Apartment buildings were built 2006-07
- The overall development (172 acres) was annexed/zoned into the City of Oxford in 2007
 - The zoning class for the subject property was set as "OI" in August 2007
- A condominium planned unit development was approved by the City of Oxford in 2007 on land east of the subject property.
 - Adjacent vacant portion currently zoned R-4 (re-labeled from R-3)
 - Did not move forward, therefore plan expired after 5 years per plan ordinance
- The subject property was rezoned from OI to R2A by Ordinance 3270 in April 2014
- A Planned Development was reviewed by the Planning Commission for this site in September and October 2014
- The Planned Development request was withdrawn from City Council agenda prior to 2nd reading

AGENCY REVIEWS

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

Police:	Returned with no comment.
Fire:	Returned with comment attached.
Engineering:	Returned with comment attached.
Econ. Dev.:	Returned with no comment.

SUBDIVISION CODE REVIEW

Section 1101.400 General Statement

In laying out a subdivision, the subdivider shall comply with the following design standards and requirements. The regulations contained herein, the Zoning Ordinance, Comprehensive Plan, Stormwater Drainage Plan, Water System Master Plan, and the City of Oxford Thoroughfare Plan shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help ensure

- convenient and safe streets;
- creation of useable lots;
- provision of space for public utilities;
- reservation of land for recreation uses;
- to minimize the impact on natural resources and the environment, and

- to ensure the planning of attractive, connected and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, unconnected, undirected, haphazard growth.

The Planning Commission has the responsibility for reviewing the layout of each future subdivision early in its design development. The development shall be laid out

- to minimize
 - the effect on ground water and aquifer recharge;
 - excavation and embankment;
 - unnecessary impervious cover;
- to provide adequate access to lots and sites; and
- to mitigate adverse effects of noise, odor, traffic, drainage, utilities and increased storm water runoff on neighboring properties.

1141.401 SUITABILITY OF LAND

If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water or sewer supply, slippage potential, unstable subsurface conditions due to poor soils or other reasons and other such conditions which may endanger health, life, safety, or property and, if by any public agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the subdivision unless adequate methods for solving the problems are advanced by the subdivider. For major subdivisions a written statement may be required by the Planning Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

1101.402 SENSITIVE DEVELOPMENT AREAS

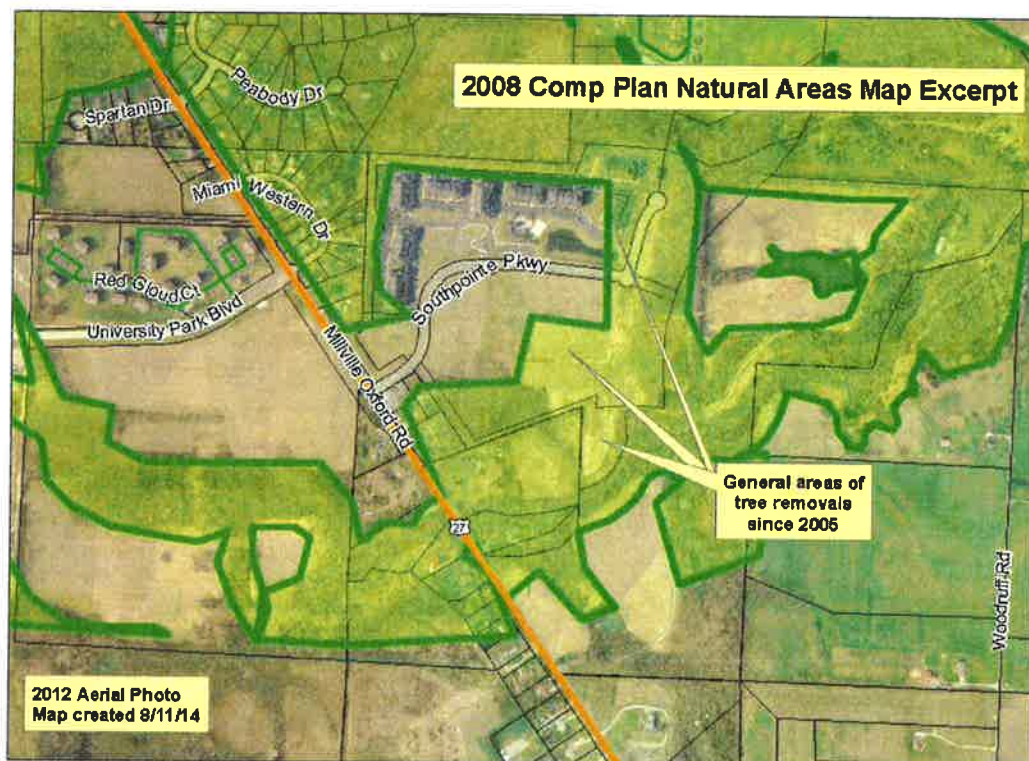
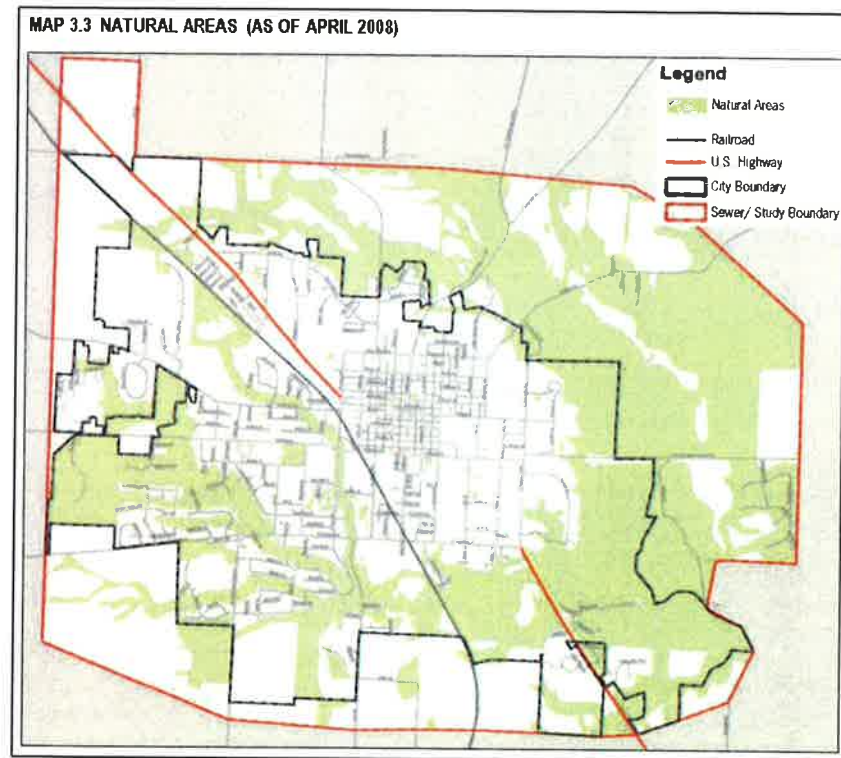
(B)“Design of the subdivision shall be based on a site analysis provided by the applicant. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features.”

Based upon the code section above, and the examples given in the code, below are some observations made about the proposed subdivision submittal. The applicant has submitted a 169 page Phase 1 Environmental Assessment report which covers some of these questions but focuses mainly upon environmental contamination research.

- (1) The Phase 1 Environmental report shows maps of state and national wetlands with none shown on the subject property.
- (2) Only a small portion of the northernmost open space lot is designated as a flood hazard area on the 2010 FEMA Flood Insurance Rate Map. No building lots are affected.
- (3) Steep slopes are identified on the plans by cross hatching. 26 of the proposed building lots are impacted by steep slopes. The letter from Bayer Becker states that those steep slopes will be addressed by using walk out basements or extended foundations. Detailed grading plans have not been developed.
- (4) No information has been submitted regarding any endangered species surveys of the subject property.
- (5) No information has been submitted regarding any historically and culturally significant structures or sites. The Phase 1 report indicates vacant land in recent history.
- (6) The Phase 1 report shows no aquifers on the subject property. There are existing ephemeral streams indicated in the report with photographs.
- (7) **Existing vegetation is shown on the plans. No detailed information has been submitted regarding a vegetation survey, however historical aerials in the Phase 1 report indicate that the most mature vegetation is in the north segment of the site on lots 66-85. A survey of that area should be conducted to determine what mature vegetation should be**

conserved while still retaining some reasonable use of the land based upon the zoning designation. If some conservation is justified, a redesigned street layout of that area may be needed.

- (8) Map 3.3 of the Comprehensive Plan is included below. Approximately 35 of the proposed building lots are impacted by the remaining natural areas shown on this map, lots 1-15 and 66-85.



1101.403 TYPICAL SECTIONS

The typical street sections have been reviewed and commented on by the Engineering Division. The intent of the applicant is public rights of way dedication.

1101.404 STREETS

The street network has been reviewed and commented upon by the Engineering Division regarding parking demand and traffic flow. The proposed layout and connectivity generally follows the block grid design within the confines of the existing land configuration. Three potential future connections to adjacent land are provided along the east boundary of the property.

1101.405 PEDESTRIAN/MULTI-USE PATHS

Sidewalks are proposed on both sides of the proposed streets, per City of Oxford requirements. Multi-use paths are shown at the end of cul-de-sacs per Section 1101.405(B)(4). **The path between lots 8 and 9 may be challenging due to grade. At this time it does not connect to another public access.**

1101.406 INFRASTRUCTURE

Water, sewer and storm water utilities have been shown on the plans and reviewed by the Engineering Division. Water and sewer service is readily available to the property but grades will still need to be verified for gravity sewer. Street light plans have not been submitted.

1101.407 DRIVEWAYS

Details for driveway locations have not yet been decided which is typical of the Preliminary Plat stage of development review. The applicant's engineer has confirmed that the driveways will comply with the maximum grade limit of 8%.

The applicant's engineer has classified Southpointe Parkway as a Minor Collector which allows driveway curb cuts. If the road were to eventually continue for future development and urban growth beyond the property, the road classification could change to Major Collector, which does not permit driveway curb cuts. If it is a concern of the City, the detailed lot layouts for lots 56-67 could be discussed further before plat approvals.

1101.408 BLOCKS

The plans meet the block dimensional requirements. The applicant has shown a public walkway through the east-west blocks that are over 600 feet in length. The City may require the walkway. **If it is required, more direct alignment between lots 31-32 and 41-42 should be required as the walkway transitions across Street 'C'.**

1101.409 LOTS

The lots meet the arrangement and design requirements of the code and the R2A zoning district. The corner lots could be reduced in size as the front yard setback requirement is not required along the alley. Some lots are unusual shape due to the existing land boundary configuration and buffering of alleys D, E and F. **The maintenance of those narrow strips of land will need to be clarified as the development moves forward because it would be an atypical portion of lot for upkeep.**

1101.410 LANDSCAPE PLAN

The tree planting plan has been submitted and has been reviewed by the Service Department Environmental Specialist. The Fire Chief has commented about the tree spacing.

1101.411 MAINTENANCE OF THE IMPROVEMENTS

City of Oxford Code requires that there be a maintenance plan for the common areas such as parks areas for the subdivision residents and drainage systems. **The plan should contain the necessary deed restrictions and requirements for financial support of the maintenance of the common areas.**

1101.412 DEED RESTRICTIONS AND COVENANTS

“Deed restrictions or covenants running with the land may be included to provide for the creation of a Home Owner's Association, Condominium Association, or Board of Trustees in which individual owners share common responsibilities for the cost and upkeep of common open space, private driveways or streets, park areas, sewage treatment plants, water systems, drainage facilities or other facilities and the enforcement of the covenants and restrictions relating to the development. Any restrictions or easements; declaration of covenants, bylaws of a Home Owner's Association and its incorporation; Declaration of Condominium Ownership or other covenants, if any, shall be reviewed and approved by the City of Oxford Law Director and shall be recorded with the Record Plat. Enforcement of said Restrictions and Covenants is not the responsibility of the City.”

PREVIOUSLY DETERMINED REQUIREMENTS

The Butler County Planned Unit Development (PUD) Resolutions as well as the 2006 Development Agreement between 4Leaf Development and the City of Oxford prescribed several responsibilities upon both parties. Those previous agreements run with the land and should be reviewed and updated each time a development within those lands is reviewed. This will ensure that any remaining responsibilities are not left uncompleted when the last parcel holder seeks development approval.

One previous requirement that is altered by this plan is the boundaries of the open space lots. The lot lines are being altered along lots 7-9 and 81-83. This reduces the width of the open space to benefit the lot arrangement for more buildable area. The amount of acreage of open space is increasing, but the width is decreasing in key areas along steep slopes and remnant natural areas. This may be feasible with a more detailed description or survey by an environmental specialist. However, the spirit and intent of the original open space area should be preserved. **If the boundaries of the open space are allowed to be altered, the development agreement should also be updated to reflect any new supporting information.**

The 2006 Agreement also indicated that a traffic signal would be installed at Southpointe Parkway, which has not been done. Some justification for the lack of a signal should be forwarded to the City for review. **If the traffic signal is not required to be installed, the development agreement should be updated to reflect any new supporting information.**

The PUD Resolutions and Development Agreement prescribe the subject property as Business PUD, i.e. an office park. Since the subject property has been rezoned to residential, the overall allowable dwelling unit density should be updated to reflect the recent zoning decisions and long range plan for the remaining vacant land.

Planning staff is not aware of the status of the other requirements and conditions of the previous agreements.

CONCLUSION

The proposed preliminary plat is consistent with the requirements of City of Oxford Section 1101.400 with the exception of the items bolded above, for additional review and discussion between the applicant and the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission discuss and determine a resolution to the bolded items above prior to forwarding a recommendation to the City Council. Alternatively, the Commission could forward a recommendation with conditions of approval. However any significant changes in the proposed layout should be reviewed again by the Planning Commission. Staff has discussed many of these items with the applicant in advance to prepare for the discussion.

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Sam Perry", with a long horizontal flourish extending to the right.

Sam Perry, AICP
Planner

DATE: March 4, 2015

City of Oxford
Inter-Office Review Transmittal Sheet

Date: February 9, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-06 PRELIMINARY SUBDIVISION The Fields at Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, **Trinitas Development, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **3/2/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Tree spacing seems very dense and could likely hamper fire fighting operations.

Drawings reviewed by:


John Detherage
PRINTED NAME

Date: 2-19-15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: February 9, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-06 PRELIMINARY SUBDIVISION The Fields at Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, Trinitas Development, LLC, Applicant/Agent

 X Review Revisions Other

Please return no later than: 3/2/2015 Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

see memo dated 3/2/15

Drawings reviewed by: Scott Otto Date: 3/2/15

Scott Otto
PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
Engineering Division

RE: PC-2015-06
Preliminary Subdivision

DATE: March 2, 2015

The following are our comments;

- The potential density of the development could result in a significant amount of on-street parking. The proposed roadway width shown in the Typical Section for streets "A", "B", "C", "D", "E", "G", and Corporate Woods Lane will not allow for opposing two-way traffic if parking is allowed and present on both sides of the street.
- The City of Oxford Standard Drawing #3, Local Road Typical Section, has a 60' right-of-way width option also. This option would provide more roadway width for parking on both sides of the street and opposing two-way traffic. 12' wide vehicular travel lanes are ideal.
- Existing utilities within the proposed subdivision will need to be relocated or removed as needed to avoid proposed construction.
- Existing utility and drainage easements will need to be revised to meet proposed utility and drainage construction.
- Existing utilities that will interfere with proposed structures are to be removed, and not abandoned in place.

- The review and acceptance of proposed utilities will be completed upon submission and approval of construction drawings. Feasibility of gravity flow sanitary sewer shall be verified.

If there are questions, please contact the Engineering Division.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: February 9, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-06 PRELIMINARY SUBDIVISION The Fields at Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, **Trinitas Development, LLC, Applicant/Agent**

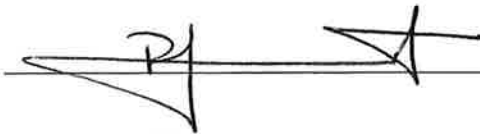
 X Review Revisions Other

Please return no later than: **3/2/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 3/2/2015

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: February 9, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

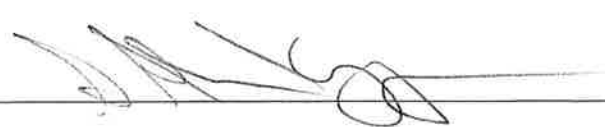
From: Community Development Department

PC-2015-06 PRELIMINARY SUBDIVISION The Fields at Southpointe, intersection of Southpointe Parkway and 27 South, Proposed residential subdivision consisting of 37.014 acres of land into 85 residential lots, **Trinitas Development, LLC, Applicant/Agent**

 X Review Revisions Other

Please return no later than: **3/2/2015** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: FEB 26-15

G. Allen Kychik
PRINTED NAME



PC-2015-06 Surrounding Property Owners Map

Legend

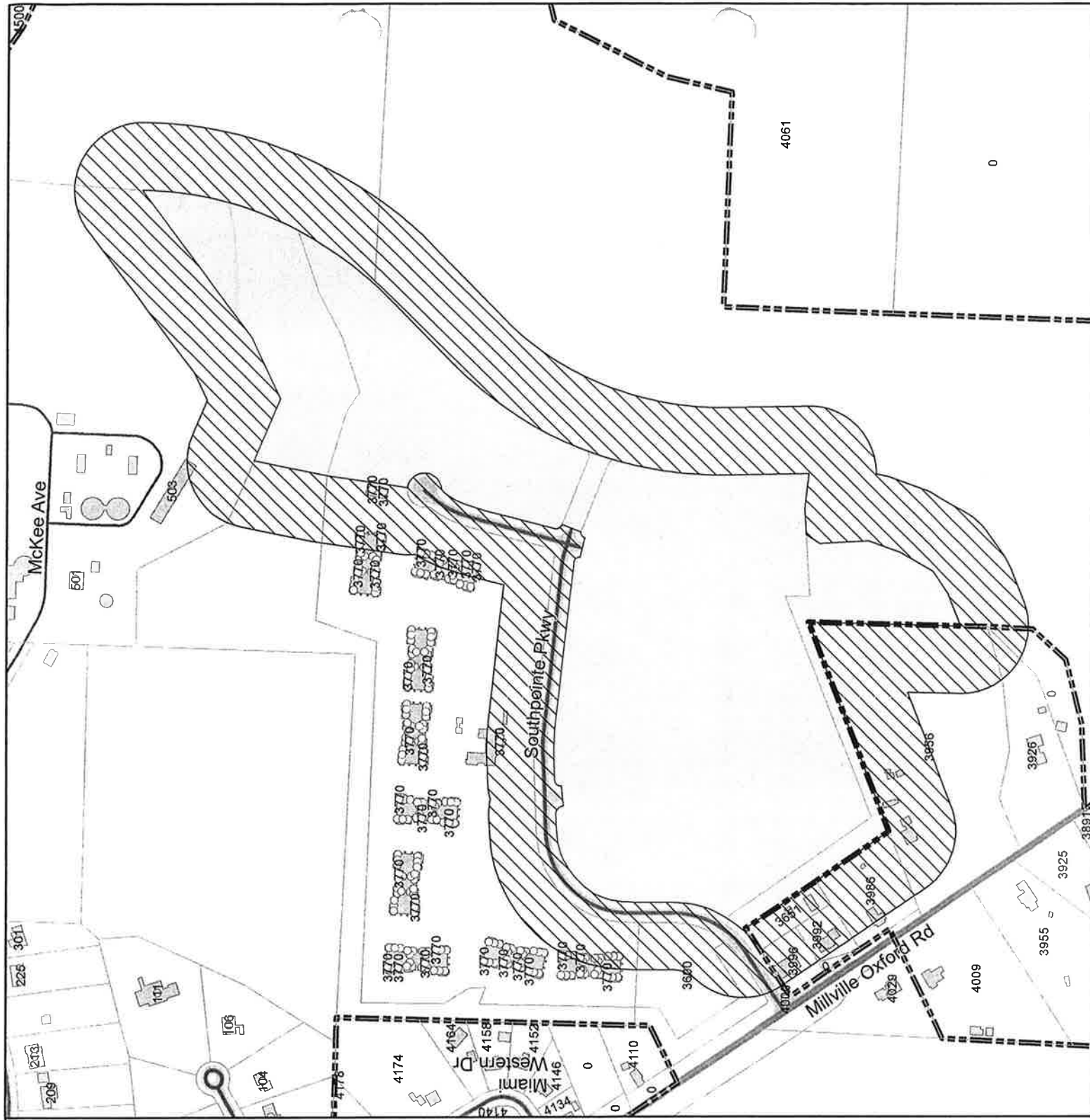
- Subject Area
- 200 Ft. Buffer
- Oxford Corporation Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 400 feet

Prepared on Thursday, February 19, 2015

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



4-Leaf Development, LLC
125 West Spring Street --- Oxford, OH 45056
(513) 524-9500 / FAX (513) 523-9415

January 2, 2015

To Whom it may Concern:

Please be advised that Trinitas Development LLC has our permission to submit applications for the approval of a Residential Subdivision on Lots 3710, 3712, 3714 and 3715 within the Southpointe Crossings development.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script, reading "James M. Clawson". The signature is written in dark ink and is positioned above the printed name.

James M. Clawson
4-Leaf Development, LLC



Internal Use Only:

Case No.

PC-2015-06

Date Filed

1/23/15

Preliminary Subdivision Application

Applicant Information

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

Name * Trinitas Development LLC

Mailing Address * 201 Main Street, Suite 1000

City, State & Zip Code * Lafayette, IN 47901

Telephone Number(s) * 765-464-2800

Email Address dvanmatre@trinitas.ventures

Engineer/Surveyor Information

Name * Bayer Becker

Mailing Address * 318 South College Avenue

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-523-4270

Email Address EttaReed@BayerBecker.com

Location and Lot Information

Location of Property * Parcels H4100-109-000-010, H4100-000-002, 004, 005

Legal Description * Entire Lot #3710, 3712, 3714 and 3715

Zoning District * R-2A Proposed Lots * 85 Total Area * 37.013 Acres

Requirements and Documentation

Plat

Twenty (20) copies of the plat on bond. Drawing size must be at least 17x22" and should never exceed 24x36." The plat must be prepared in accordance with Chapter 1101, Subdivision Regulations and Chapters 1121-1137, Zoning Code of the City of Oxford¹. Scale should not exceed 1" = 100.' Plats containing less than three lots are exempted from the provisions of this section. The preliminary plat shall show:

No.	Required Item Description	Have	Need
1	20 sets (17" x 22" minimum)	☒	☐
2	Electronic version of all documentation submitted (PDF preferred)	☒	☐
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a north-south and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line.	☒	☐
4	The name, mailing address, and telephone number of the applicant and owner.	☒	☐

No.	Required Item Description	Have	Need
5	Letter of Agency. (A statement from the owner that the applicant is entitled to apply on his or her behalf.)	☒	☐
6	Attach a written, detailed description of the request.	☒	☐
7	Metes and bounds description of the property (Legal Description).	☒	☐
8	Vicinity Map	☒	☐
9	The zoning district in which the site is located.	☒	☐
10	Required Fee.	☒	☐
11	Number of proposed lots.	☒	☐
12	Preliminary Plat shall show the following:		
12	A. The location of present property and section lines, streets, buildings, lakes and watercourses.	☒	☐
12	B. Boundary lines, size and tract of whole site and each individual lot in square feet and/or acres.	☒	☐
12	C. Any existing water mains, culverts, sewer lines, railroads, easements, parks, permanent buildings, power poles, other underground structures and streets within the tract or immediately adjacent thereto, including the location, dimension and size of the nearest water main and sewer line.	☒	☐
12	D. The proposed location and width of streets, alleys, lots, parking areas, pedestrian walks, ingress/egress, setback lines and easements.	☒	☐
12	E. The title under which the proposed subdivision is to be recorded and the name of the subdivider and owner if other than the subdivider platting the tract.	☒	☐
12	F. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.	☒	☐
12	G. North point, scale and date.	☒	☐
12	H. Existing contours with intervals of five feet or less referred to U.S.G.S. datum and obtained from a field survey.	☒	☐
12	I. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.	☒	☐
12	J. The plan should evaluate existing watercourses, channels, storm sewers, culverts and proposed improvements pertaining to drainage and flood control in regard to their ability to handle the anticipated greater volume of run-off and peak flows.	☒	☐
12	K. Any existing building(s) to remain or to be razed. N/A	☐	☐
12	L. Location of any wooded areas, topographic and natural features that are within and adjacent to the proposed project area to be preserved.	☒	☐
12	M. If and how the proposed subdivision will be subdivided in Phases.	☒	☐
12	N. Site Analysis as stipulated in Section 402(b).	☒	☐
12	O. Landscaping Plan	☒	☐
12	P. Building Concepts, as applicable.	☒	☐
12	R. Any other information that may be necessary as determined by Staff.	☐	☐

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.

Fees & Receipt

The required fee for preliminary plan is \$400.00 plus \$10.00 per lot, plus postage charge.

To calculate the postage charge, multiply the number of adjoining properties by current postage rate³ (e.g. \$0.46).

Sign and Date

Applicant Signature *

Date *


1-23-15

Submit Application, Plans and Documentation, and Fees

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

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

Direct questions to the Community Development Department 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 proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

1/23/15

Receipt Number *

27745

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

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

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

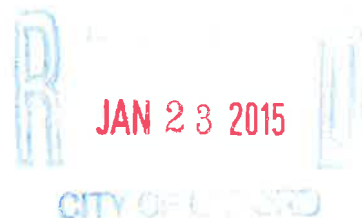


*Where Creativity
Meets Functionality*

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

January 23, 2015

Mr. Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, Ohio 45056



Re: The Fields at Southpointe
Preliminary Plat Submittal

Dear Mr. Perry:

Trinitas Development LLC is interested in developing lots 3710, 3712, 3714 and 3715 of the Southpointe Crossings development as a Residential Subdivision in accordance with the regulations of the City of Oxford. The aforementioned lots are zoned R-2A (Single and Two-Family Residential) which allows for the development of single and two-family residential units. The Fields at Southpointe Subdivision is proposed to contain 85 residential lots to be developed along public dedicated streets and alleys. Furthermore, the development will include the extension of public sanitary sewer, storm sewer and water mains to serve the subdivision.

Amenities will be provided in a lot on the western end of the development, labeled "Amenity Space" on the enclosed Preliminary Plat. The exact amenities to be constructed have yet to be defined, however potential items include a clubhouse, swimming pool, volley ball court and basketball courts.

The residential development at The Fields at Southpointe will consist of a mix of single and duplex cottage units designed in the craftsman style. The exterior materials of the cottages include painted cementitious board siding in a variety of colors and white accent trim, along with dual-glazed vinyl windows and sliding glass doors. Entry doors will be painted with accent colors. The gabled roofs are covered with composition shingles and the lower accent roofs are metal standing seam. The cottages also feature covered private patio areas.

The existing topography of the development south of Southpointe Parkway, slopes from the west to the east/southeast. The proposed streets have been aligned to run perpendicular to the grade so to minimize the amount of grading needed to create the lots for development. In order to accommodate the grade difference from the front to the rear of several of the lots along the south side of Street A, residential buildings with walkout basements or extended foundations will be utilized.

The property located on the north side of Southpointe Parkway drains both to the north and south. Again, the proposed streets have been laid out to run perpendicular to the slope so to minimize the amount of grading that will be necessary. Several of the lots on the north side of Corporate Woods Lane may be constructed with either walkout basements or extended foundations, in order to minimize the impact to the existing topography and vegetation.

Article VI B of the Development Agreement between the City of Oxford and 4-Leaf Development LLC, indicates that at the request of the City, 4-Leaf shall grant to Three Valley Conservation Trust, or another agreed upon eligible entity, a conservation easement over a portion of the property located at both the north and south ends of The Fields at Southpointe development. Trinitas Development LLC will work with City staff to dedicate a conservation easement, as shown on the Site Analysis, over the undisturbed areas at the north and south ends of the development.

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

318 South College Avenue
Oxford, OH 45056
513-523-4270

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

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

<http://www.bayerbecker.com>

Page 2
Mr. Sam Perry
The Fields at Southpointe
January 23, 2015

Enclosed please find the following items in support of Trinitas Development LLC's request for approval of the Preliminary Plat for The Fields at Southpointe residential subdivision:

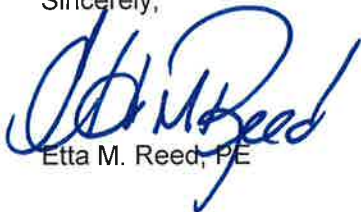
- 1) Twenty (20) packets containing one copy of each of the following:
 - a. Executed Preliminary Plat Application.
 - b. An Affidavit from 4 Leaf Development LLC granting Trinitas Development LLC permission to submit applications for the approval of a Residential Subdivision.
 - c. Preliminary Plat.
 - d. Metes and bounds legal description of the property.
 - e. Site Analysis.
 - f. Landscape Plan.
 - g. List of all property owners within 200 feet of the subject parcel.
- 2) A CD containing an electronic copy of the above items.
- 3) A check in the amount of \$1,254.41 made payable to *City of Oxford* to cover the review and application fee.
- 4) Applicant:
*Trinitas Development LLC
201 Main Street, Suite 1000
Lafayette, IN 47901
765-464-2800*

Owner:
*4 Leaf Development LLC
125 W. Spring Street
Oxford, OH 45056
513-524-9500*
- 5) Design Professionals:
 - a. Architect:
*KJG Architecture, Inc.
527 Sagamore Pkwy. W, Suite 101,
West Lafayette, IN 47906
765-497-4598*
 - b. Engineer, Surveyor & Landscape Architect:
*Bayer Becker
318 S. College Ave
Oxford, OH 45056
513-336-6600*

Please place this item on the March 10th Planning Commission Agenda.

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

Sincerely,



Etta M. Reed, PE

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

<http://www.bayerbecker.com>

Date: July 23, 2014

Description: Southpointe Crossings, Section One
Lots #3710 & #3712

Location: City of Oxford
Butler County, Ohio



Situated in the City of Oxford, Butler County, Ohio, being all of Lot #3710 and Lot #3712 of Southpointe Crossing, Section One as recorded in Plat Book 4020, Pages A & B of the Butler County Recorder's Office and being further described as follows:

Beginning found steel fence post at northeast corner of said Lot #3710 and being the **True Point of Beginning**:

thence, with the easterly boundary of said Southpointe Crossings, Section One for the following four courses: South 02° 08' 25" West, 5.02 feet;

thence, with a curve to the right, having a central angle of 45° 25' 51", a radius of 1000.00 feet, an arc length of 792.92 feet and a chord bearing and distance of, South 24° 51' 21" West, 772.31 feet;

thence, South 47° 34' 16" West, 282.77 feet;

thence, with a curve to the left, having a central angle of 23° 32' 45", a radius of 1100.00 feet, an arc length of 452.05 feet and a chord bearing and distance of, South 35° 47' 54" West, 448.87 feet to the northerly right of way of Southpointe Parkway;

thence, leaving said easterly boundary of Southpointe Crossings, Section One and with said northerly right of way of Southpointe Parkway, with a curve to the right, having a central angle of 87° 26' 29", a radius of 20.00 feet, an arc length of 30.52 feet, and a chord bearing and distance of, South 67° 44' 46" West, 27.65 feet to the northerly right of way of Southpointe Parkway;

thence, with said northerly right of way of Southpointe Parkway, North 68° 32' 00" West, 211.10 feet;

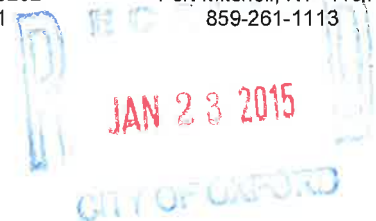
thence, with a curve to the left, having a central angle of 00° 54' 42", a radius of 530.00 feet, an arc length of 8.43 feet and a chord bearing and distance of, North 68° 59' 21" West, 8.43 feet to the easterly right of way of Corporate Woods Lane;

thence, with said easterly right of way of Corporation Woods Lane for the following five courses: with a curve to the right, having a central angle of 84° 47' 03", a radius of 20.00 feet, an arc length of 29.60 feet and a chord bearing and distance of, North 27° 03' 10" West, 26.97 feet;

thence, North 15° 20' 21" East, 241.92 feet;

thence, with a curve to the right, having a central angle of 18° 49' 25", a radius of 291.32 feet, an arc length of 95.71 feet and a chord bearing and distance of, North 24° 45' 04" East, 95.28 feet;

thence, with a curve to the right, having a central angle of 45° 54' 16", a radius of 35.00 feet, an arc length of 28.04 feet and a chord bearing and distance of, North 57° 06' 54" East, 27.30 feet;



thence, with a curve to the left, having a central angle of $156^{\circ} 46' 22''$, a radius of 50.00 feet, an arc length of 136.81 feet, and a chord bearing and distance of, North $01^{\circ} 40' 51''$ East, 97.95 feet to the easterly line of Lot #3711 of said Southpointe Crossings, Section One;

thence, leaving said right of way of Corporate Woods Lane and with said easterly line of Lot #3711, North $13^{\circ} 17' 40''$ East, 430.67 feet to the northeast corner of Lot #3709 of said Southpointe Crossings, Section One, being the northerly boundary of said Southpointe Crossings, Section One and the southerly line of Lot #2022 of said City of Oxford;

thence, with said northerly boundary of Southpointe Crossings, Section One and the southerly line of said Lot #2022 for the following three courses: South $65^{\circ} 04' 39''$ East, 199.80 feet;

thence, North $66^{\circ} 05' 41''$ East, 199.87 feet;

thence, North $54^{\circ} 27' 42''$ East, 547.65 feet to the **True Point of Beginning** containing 11.883 acres of land more or less of which 5.093 acres are in Lot #3710 and 6.790 acres are in Lot #3712 and being subject to all easements, legal highways, restrictions and agreements of record.

Date: July 23, 2014
Description: Southpointe Crossings, Section One
Lots #3714 & #3715
Location: City of Oxford
Butler County, Ohio



Situated in the City of Oxford, Butler County, Ohio, being all of Lot #3714 and Lot #3715 of Southpointe Crossing, Section One as recorded in Plat Book 4020, Pages A & B of the Butler County Recorder's Office and being further described as follows:

Beginning at a found concrete monument at the southwest corner of said Lot #3715 and being the southeast corner of Edwards Subdivision as recorded in Plat Envelope 318, Page B, being on the westerly corporation line of the City of Oxford and being the **True Point of Beginning**;

thence, with the easterly boundary of said Edwards Subdivision and said westerly corporation line of the City of Oxford, North 33° 20' 39" West, 528.35 feet to the southerly right of way of Southpointe Parkway;

thence, leaving said easterly boundary of said Edwards Subdivision and said westerly corporation line of the City of Oxford and with and through said southerly right of way of Southpointe Parkway for the following nine courses: with a curve to the left, having a central angle of 45° 14' 55", a radius of 280.00 feet, an arc length of 221.13 feet, and a chord bearing and distance of, North 22° 37' 27" East, 215.42 feet;

thence, North 00° 00' 00" East, 123.60 feet;

thence, with a curve to the right, having a central angle of 88° 04' 43", a radius of 220.00 feet, an arc length of 338.20 feet and a chord bearing and distance of, North 44° 02' 21" East, 305.87 feet;

thence, North 88° 04' 43" East, 52.07 feet;

thence, with a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet and a chord bearing and distance of South 46° 55' 17" East, 28.28 feet;

thence, North 88° 04' 43" East, 60.00 feet;

thence, with a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet and a chord bearing and distance of North 43° 04' 43" East, 28.28 feet;

thence, North 88° 04' 43" East, 94.91 feet;

thence, with a curve to the right, having a central angle of 08° 12' 01", a radius of 270.00 feet, an arc length of 38.64 feet and a chord bearing and distance of South 87° 49' 17" East, 38.61 feet;

thence, South 83° 43' 17" East, 491.06 feet;

JAN 23 2015

CITY OF OXFORD

thence, with a compound curve to the right, having a central angle of 02° 40' 52", a radius of 470.00 feet, an arc length of 21.99 feet and a chord bearing and distance of South 82° 22' 51" East, 21.99 feet;

thence, with a curve to the right, having a central angle of 96° 22' 46", a radius of 20.00 feet, an arc length of 33.64 feet and a chord bearing and distance of South 32° 51' 02" East, 29.81 feet;

thence, South 74° 39' 53" East, 60.00 feet;

thence, with a curve to the right, having a central angle of 96° 07' 39", a radius of 20.00 feet, an arc length of 33.55 feet and a chord bearing and distance of South 63° 24' 11" East, 29.76 feet;

thence, South 68° 32' 00" East, 209.12 feet;

thence, with a curve to the right, having a central angle of 87° 26' 29", a radius of 20.00 feet, an arc length of 30.52 feet, and a chord bearing and distance of, South 24° 48' 46" East, 27.65 feet; to the easterly boundary of said Southpointe Crossing, Section One;

thence, leaving said southerly right of way of Southpointe Parkway and with said easterly boundary of Southpointe Crossing, Section One for the following ten courses: with a curve to the left, having a central angle of 18° 25' 58", a radius of 1100.00 feet, an arc length of 353.89 feet, and a chord bearing and distance of South 09° 41' 29" West, 352.36 feet;

thence, South 00° 28' 30" West, 238.26 feet;

thence, North 81° 47' 13" West, 104.46 feet;

thence, South 88° 11' 02" West, 56.88 feet;

thence, South 35° 24' 04" West, 49.34 feet;

thence, South 00° 44' 30" East, 143.90 feet;

thence, South 22° 37' 31" West, 102.20 feet;

thence, South 32° 22' 25" West, 110.14 feet;

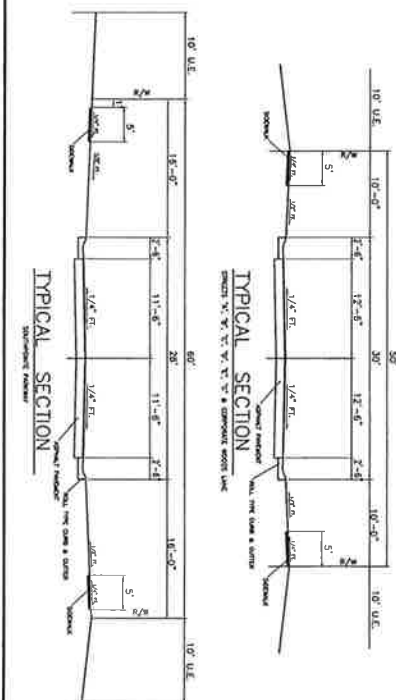
thence, South 57° 36' 25" West, 80.70 feet;

thence, South 70° 59' 47" West, 85.38 feet to said westerly corporation line of the City of Oxford, being the westerly boundary of said Southpointe Crossings, Section One;

thence, with said westerly corporation line of the City of Oxford, and said westerly boundary of Southpointe Crossings, Section One, North 02° 23' 54" East, 437.33 feet;

thence, continuing with said westerly corporation line of the City of Oxford and the southerly boundary of said Southpointe Crossings, Section One, South 70° 13' 00" West, 669.69 to the **True Point of Beginning** containing 25.1308 acres of land more or less of which 21.7573 acres are in Lot #3714 and 3.3735 Acres are in Lot #3715 and being subject to all easements, legal highways, restrictions and agreements of record.

CITY OF OXFORD
BULTER COUNTY, OHIO
JANUARY, 2015



1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

4 LEAF DEVELOPMENT LLC
125 W. SPRING STREET
OXFORD, OH 43086
614-524-9500

TRINITAS DEVELOPMENT LLC
201 MAIN STREET, SUITE 1000
LA-FAYETTE, IN 47901
765.464.2800

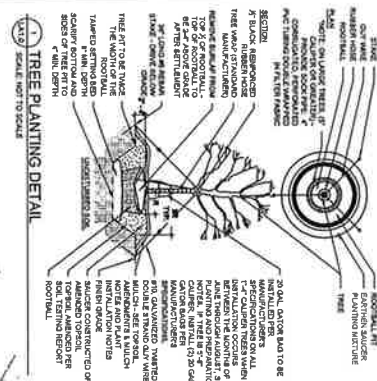
1. Secondary sewer, storm sewer, and water main shall be connected to the existing City of Orem.

2. Ductile to be supplied by Dales Energy.
3. As public works to be constructed according to City of Oxford standards and specifications.
4. Containing linethread from steel manufacturing waste in U.S.G.S. datum.
5. Concrete walls to be installed using public materials.
6. Total acreage: 37.013 Acres
7. Existing Zoning: R-24 Single & Two Family Residential

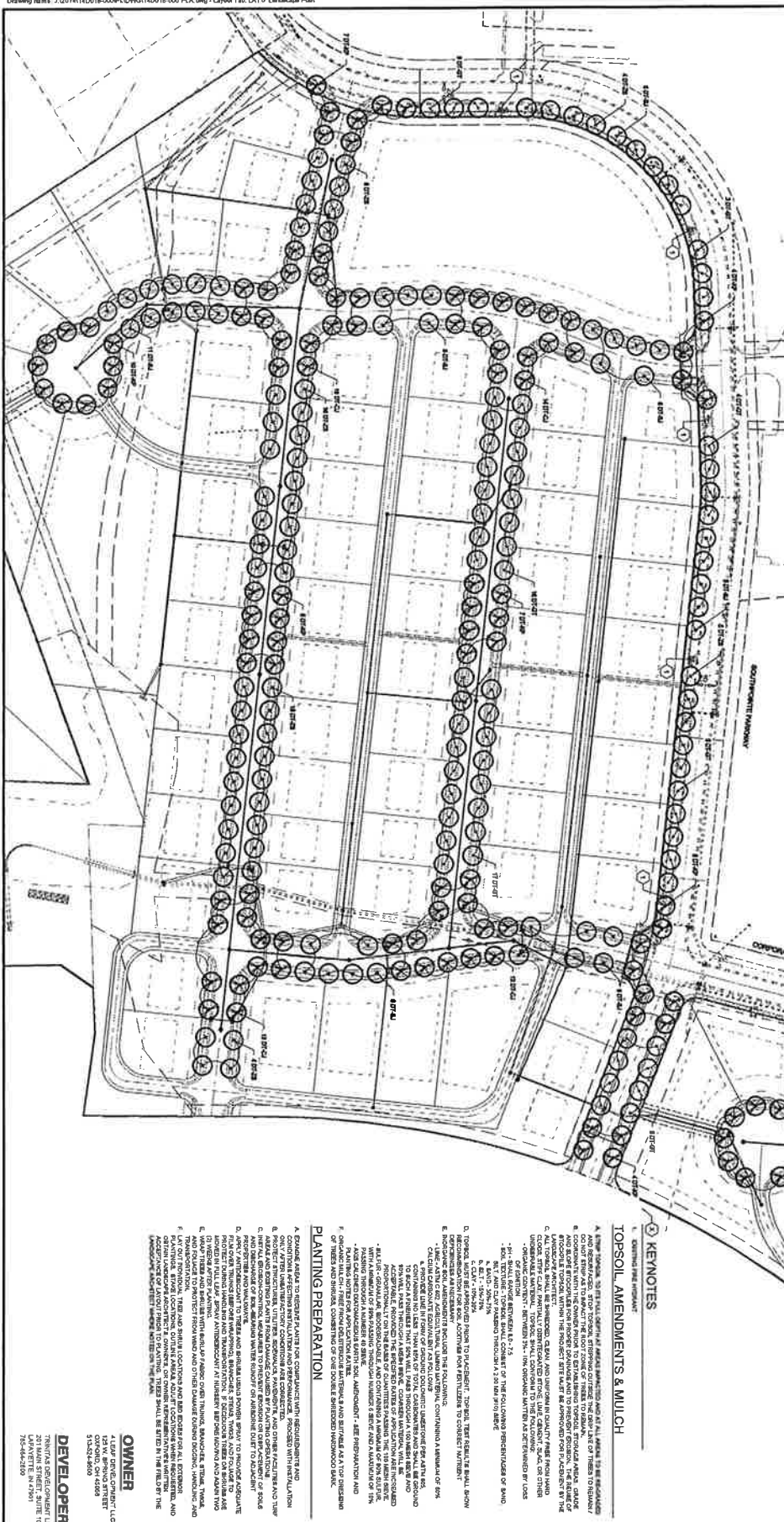
| | |
|---|----------------------|
| 6 | SQUARE FOOTAGE (sqm) |
| 5 | FRONT SETBACK (mm) |
| 3 | SIDE SETBACK |
| 7 | REAR SETBACK |
| 3 | |

| | |
|---|----------------------|
| 6 | SQUARE FOOTAGE (sqm) |
| 5 | FRONT SETBACK (mm) |
| 3 | SIDE SETBACK |
| 7 | REAR SETBACK |
| 3 | |

[illegible]

[illegible]

1. TREE SPECIES WERE SELECTED FROM THE APPROVED LIST OF MEDIUM TREES WHICH ARE PERMITTED IN A TREE LAWN THAT IS AT LEAST 5' WIDE.
2. STREET FRONTAGE WAS CALCULATED FROM CORNER TO CORNER.
3. TREE LOCATIONS THAT CONFLICT WITH EXISTING FIRE HYDRANT LOCATIONS ALONG SOUTH/POINTE PARKWAY WERE SUBTRACTED FROM THE REQUIRED STREET TREE TOTAL IN THE ZONING MATRIX (4 TREES).



KEYNOTES

- [illegible]

PLANTING PREPARATION

- [illegible]

OWNER
4 LEAP DEVELOPMENT LLC
123 W. SPRING STREET
OXFORD, OH 43068
513-421-8500

DEVELOPER
TRINITYS DEVELOPMENT LLC
201 MAIN STREET, SUITE 1000
LAFAYETTE, IN 47901
765-464-2800