



Agenda

Oxford City Council

Court House

TUESDAY, MAY 6, 2014

EXECUTIVE SESSION

7:15 P.M.

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 - 'The National Association of Letter Carriers Food Drive Day'



Proclamation

- B. Proclamation - 'Jerome U. Conley Day'

- C. 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 15, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the April 16, 2014 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. A Resolution authorizing the City Manager to enter into an agreement with Woodhull for a 60-month lease of a Ricoh Aficio MP C3503 color copier. (Bob Holzworth, Police Chief)



Staff Report/Resolution

- D. A Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory public records training as required by the Ohio Public Records Act. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to amend the loan agreement between the City of Oxford and Moon Cooperative Services, Inc. with conditions. (Alan Kyger, Economic Development Director).



Staff Report/Resolution

6. Ordinances.

- A. First Reading - None.

B. Second Reading.

1. An Ordinance To Facilitate Competitive Retail Electric Service To Promote Electrical Savings, Lower Cost Electricity Supplies And Other Benefits For Certain Electricity Consumers, Authorizing All Actions Necessary To Effect An Electric Aggregation Program Pursuant To Section 4928.20 Of The Ohio Revised Code And Article XVIII Section 4 Of The Ohio Constitution; Directing The Butler County Board Of Elections To Submit A Ballot Question To The Electors; And Authorizing An Agreement With An Agent For Such Purposes. (Doug Elliott, City Manager)



Staff Report/Ordinance

2. An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 33.550 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager)



Staff Report/Ordinance

3. An Ordinance Declaring Parcel Number H4100110000010 Located Along Millville-Oxford Road In Oxford To Be Surplus Property And No Longer Needed For Municipal Purposes; And Authorizing The City Manager To Enter Into An Agreement With Miami University For The Sale Of The Property. (Mike Dreisbach, Service 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. (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - May 7 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

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

THUR - May 8 Student Community Relations Commission Meeting 4:00 p.m. LCNB

TUES - May 13 Planning Commission Meeting 7:30 p.m. Cancelled

WED - May 14 Board of Zoning Appeals Meeting 7:30 p.m. (rescheduled from 5/21/14)

MON - May 19 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

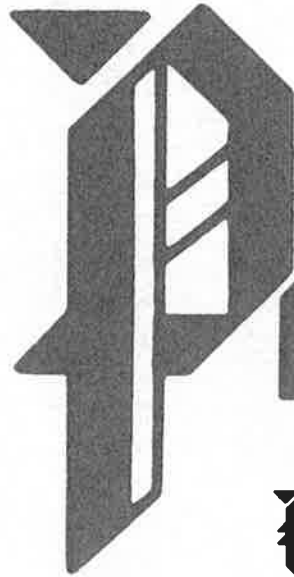
TUES - May 20 City Council Meeting 7:30 p.m.

WED - May 21 Civil Service Commission Meeting 7:00 p.m. (rescheduled from 5/28/14)

FRI - May 23 Community Improvement Corporation Meeting 12:00 p.m. LCNB

MON - May 26 Holiday - City Offices Closed

8. Adjourn.



Office of the Mayor

Proclamation

Whereas: the National Association of Letter Carriers have designated the day of May 10, 2014 as the twenty-second annual "Stamp Out Hunger Food Drive" day; and

WHEREAS, the NALC Food Drive collected a record of 74.4 million pounds of food nationally and 49,410 pounds of food in Butler County in 2013; 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, United Way, Campbell's, 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 10, 2014 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 10, 2014 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 2nd day of May, 2014.


KEVIN D. MCKEEHAN, MAYOR



A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, April 15, 2014 at 7:15 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; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. John Jones, Police Lieutenant; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing pending litigation. Ms. Southard seconded. The motion was approved 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)

RETURN FROM EXECUTIVE SESSION

Mr. Keebler moved to return from Executive Session at 7:40 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION **'NATIONAL PRESERVATION MONTH'**

Mayor McKeehan read the Proclamation and presented it to Ms. Laura Henderson, Chair, Historic and Architectural Preservation Commission.

Ms. Laura Henderson, thanked Council for issuing the Proclamation which she accepted on behalf of the Historic and Architectural Preservation Commission noting they appreciated the support of City Council and City staff.

Ms. Henderson advised the combined efforts helped to increase awareness of the cultural heritage, history and architecture of Oxford. Ms. Henderson thanked Vice Chair, Kim Peterka, for conducting the HAPC meetings during her absence this winter and welcomed new member, Bobbe Burke. Ms. Henderson noted the commission was especially strong right now and most members were present this evening to show their support. Ms. Henderson referred to the National Preservation Month theme this year, 'Embark, Inspire, Engage' and advised the HAPC embarked in several programs that were making a difference and the HAPC collaborated with other organizations such as the Oxford Community Arts Center, the Smith Library of Regional History, the Oxford Visitors Bureau, the William Holmes McGuffey Museum, departments at Miami University and many people in the community. Ms. Henderson advised through the Historic Marker Program the HAPC inspired people to recognize the importance of historic properties and sites by applying for a bronze plaque to designate the year built, and the original owner or architect or an event or site in history that was significant. Ms. Henderson noted the HAPC sponsored Historic District Guided Walking Tours every Saturday in May to engage an increasing number of people of all ages and interests to join them for a glimpse into the past of Oxford, Miami University and the Western College for Women. Ms. Henderson advised another way the HAPC engaged people in Historic Preservation was to gather a group of people to be photographed in front of a significant structure and send it to the National Trust for Historic Preservation for its 'This Place Matters' program. Ms. Henderson discussed the HAPC's goals for 2014 and beyond and again thanked City Council for proclaiming May as National Preservation Month.

Mr. Snyder asked members of the HAPC in the audience to stand and be recognized for their efforts.

Mayor McKeehan thanked the HAPC members and previous members for their hard efforts noting that was why Oxford had such an attractive and vibrant Uptown.

PUBLIC COMMENTS

Ms. Rebecca Baudry Young, Director, Office of Student Wellness, Miami University, thanked Council for the opportunity to speak to them and invited them as well as members of the public to attend a community forum to address high risk alcohol behaviors. Ms. Baudry Young advised the event would take place on May 1, 2014 at the Lane Library with hors d'oeuvres and refreshments being served at 5:30 p.m. and the forum beginning at 6:00 p.m. Ms. Baudry Young noted she would like to invite people who lived, worked and played in the community to engage in dialog to address the expectations and realities of alcohol behavior Uptown and on campus. Ms. Baudry Young advised she wanted to reinvigorate some of the conversations and actions that took place in the past and Miami University partnered with the Coalition for a Healthy Community and the Student Community Relations Commission to continue this work. Ms. Baudry Young noted she wanted to reach out to the community to help the group succeed in those efforts.

Ms. Amy Macechko, Health and Wellness Coordinator, Talawanda School District, and Project Coordinator, Coalition for a Healthy Community, thanked the Student Community Relations Commission for their support noting when this idea was presented to them at their last meeting everyone was on board 100%.

Ms. Macechko thanked the City and the SCRC for their willingness to partner in this very important dialog about the health and safety of the overall community. Ms. Macechko highlighted the events taking place over the next two weeks including an Opiate Town Hall Meeting on April 23rd at 6:30 p.m. at the Talawanda High School, the Fresh Air Fair and Prescription Take Back Day on April 26th at the Talawanda High School from 9:00 a.m. to 12:00 p.m., an Alcohol Education for College Data presentation on April 29th at the Shriver Center from 9:00 a.m. to 12:00 p.m. and a Building Prevention With Faith Training program from 7-9 p.m., the Community Forum to Address High Risk Alcohol Behaviors on May 1st at the Lane Library beginning at 5:30 p.m., and the Talawanda Prom and After Prom event on May 3rd at Miami University from 8:00 p.m. to 3:30 a.m. Ms. Macechko noted she shared the schedule of events to encourage community members to come together to take action on these issues.

Mayor McKeehan thanked Ms. Baudry Young and Ms. Macechko for all of their efforts.

Mr. David Brown, Butler County Auditor's Office, provided an update regarding items that affected the City of Oxford tax payers including mobile home and real estate tax settlements, the state mandated reappraisals for 2014 and Homestead Exemptions. Mr. Brown thanked Council for their time and noted it was always a pleasure to visit Oxford.

CONSENT AGENDA

MINUTES

Minutes of the April 1, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the April 2, 2014 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the April 2, 2014 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTIONS

RESOLUTION **ANNUAL AUDIT**

A Resolution No. 4820 authorizing the City Manager to enter into a contract with the Auditor of State's Office to complete the audit of the annual financial statements for the year ended December 31, 2013. (Joe Newlin, Finance Director)

RESOLUTION
ODOT LEGISLATION

A Resolution No. 4821 authorizing the City Manager to sign preliminary consent legislation and other contracts with the Ohio Department of Transportation in connection with the Bridge Inspection Program inside the Oxford Corporate limits (PID No. 97103) at no cost to the City of Oxford. (Mike Dreisbach, Service Director)

RESOLUTION
CONTRACT WITH
BUTLER COUNTY

A Resolution No. 4822 authorizing the City Manager to enter into a contract with the Butler County Board of Commissioners for the maintenance of Oxford's portion of the 800 megahertz radio system at a cost not to exceed \$21,005.00 for 2014. (Bob Holzworth, Police Chief)

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

RESOLUTIONS

RESOLUTION
SUPPORT ISSUE 1

A Resolution No. 4823 urging Oxford Area voters to support State Issue 1, renewal of the State Capital Improvements Program on the May 6, 2014 ballot. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed constitutional amendment would reauthorize the State of Ohio to issue general obligation bonds to assist local governments in paying for capital improvements. Mr. Elliott noted the City had utilized this program several times for projects including the High Street brick restoration and the South College Avenue brick restoration. Mr. Elliott advised the Ohio Public Works Commission listed on a county basis the projects that had been funded through the State Capital Improvements Program and the Local Transportation Improvement Program and the City of Oxford had received a little over 4 million dollars. Mr. Elliott noted this reauthorization would be the third time state and local governments had partnered on this initiative to leverage 1.9 billion dollars in bonds over 10 years for local infrastructure projects. Mr. Elliott advised the reauthorization would not raise taxes and it would benefit villages and cities across the state. Mr. Elliott urged Council to adopt the proposed Resolution and noted this reauthorization would be on the May 6th ballot as State Issue 1.

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

Ms. Rousmaniere inquired if Issue 1 could be described as a renewal. Mr. Elliott advised it was a reauthorization and it was already built into the state's budget.

Ms. Rousmaniere moved to adopt Resolution No. 4823. Mr. Snyder seconded. The motion passed 7-0-0.

RESOLUTION
NEW CAD/RMS

A Resolution No. 4824 authorizing the City Manager to enter into a contract with E-9 Corporation for the purchase of a new Computer Aided Dispatch and Records Management System (CAD/RMS) to be purchased through the U.S. General Services Administration (GSA) contract #GS-35F-03775 at a cost of \$164,340.00 plus a contingency amount of 9.5% of the contract price or \$15,660.00 for a total cost not to exceed \$180,000.00. (Bob Holzworth, Police Chief)

Chief Holzworth advised the City acquired the Condor program in 1984 which was the City's first foray into electronic record keeping. Chief Holzworth noted the CISCO program was acquired and put into service in 2001 and he was strongly suggesting it was time for the City's next evolution in data based management and records management. Chief Holzworth advised a team of City staff including Lt. Jones, Sgt. Robinson, Dispatcher Frey, Office Manager Gabbard, Part-Time Dispatcher Jackson, Part-Time Records Clerk Fields, Dispatcher Osborne and Dispatcher Warren spent over two years studying the options available to replace the current system and felt the Interact product (purchased through E-9 Corporation) was the best provider at the best price and it contained all the features the City would need to support the Police Department well into the future. Chief Holzworth noted the next Resolution dealt with a contract for data conversion so that specific CISCO records could be exported to another public safety software system.

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

Mr. Snyder advised he voted for the Condor system in 1984 and he would be pleased to vote for this Resolution tonight.

Mr. Keebler advised things were changing in the dispatch world with the City of Hamilton's Dispatch Center combining with Butler County and Middletown most likely would as well. Mr. Keebler noted by 2016 the 911 dispatch centers would be reduced to three in Butler County. Mr. Keebler stated he believed Oxford was taking less than 5% of the 911 calls in Butler County which suggested if there was any support for 911 in Oxford it was going to disappear. Mr. Keebler inquired what would happen to the money spent on a new system if something radically changed within Oxford's dispatch center.

Lt. Jones advised it was actually 2018 when the 911 centers in Butler County would be reduced to three. Lt. Jones noted he didn't know what would happen by 2018 as to whether or not Oxford would remain a 911 center but wireless 911 funding would only be available for three PSAPs in the county. Lt. Jones advised if Oxford could no longer operate a PSAP it could be a secondary PSAP similar to Miami University and there would be options even if Oxford lost the Computer Aided Dispatch (CAD) portion of a new system. Lt. Jones noted the City would still need the Records Management System to maintain records, drive statistics and deploy officers. Lt. Jones stated he felt geographically Oxford stood in a good position to remain a PSAP.

Mr. Keebler noted there was not a representative from the Fire Department on the study committee and inquired how the Fire Department would interface with a new system. Lt. Jones advised Chief Detherage attended some of the demos and the software being recommended would interface with the Fire Department's current software.

Mayor McKeehan noted the new system seemed like a wise move but it was a little troublesome that it might not be needed after 2018.

Mr. Keebler noted there would be some risk either way.

Mr. Snyder moved to adopt Resolution No. 4824. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
DATA CONVERSION

A Resolution No. 4825 authorizing the City Manager to enter into a contract with Global Software Corporation for data conversion related to the purchase of a new Computer Aided Dispatch and Records Management System (CAD/RMS) at a cost not to exceed \$20,000.00. (Bob Holzworth, Police Chief)

Chief Holzworth advised this was the companion piece of legislation he mentioned that would convert the data the Police Department currently held into a format that could be used moving forward.

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

Mr. Snyder moved to adopt Resolution No. 4825. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
DUKE ENERGY

A Resolution No. 4826 authorizing the City Manager to enter into an agreement with Duke Energy Retail Sales, LLC for the procurement of electricity generation and transmission for the City's consumption for a period of thirty six months beginning May 2014. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the City was reaching the end of a three year contract with Duke Energy Retail Sales, LLC (DERS) who provided electric generation to the City for all municipal accounts. Mr. Dreisbach noted the majority of the accounts were for operating utilities for street light purposes. Mr. Dreisbach advised in anticipation of the end of the contract with DERS the City shopped for additional pricing to decide if the contract with DERS should be extended or not. Mr. Dreisbach noted the price of electric like other commodities changed on a daily basis and the prices fluctuated slightly since his staff report was written late last week.

Mr. Dreisbach advised when he concluded this report he would ask Council to adjust section 3 of the proposed Resolution to reflect the new price of 5.33 cents per kilowatt hour verses 5.26 cents per kilowatt hour which would be a fixed rate for three years. Mr. Dreisbach noted the new rate was 3% lower than what the City was currently paying and he was not aware of any company who could offer a better price at a fixed rate. Mr. Dreisbach recommended the proposed Resolution be amended to reflect the new price.

Mr. Snyder moved to amend Section 3 of the proposed Resolution to read 'at a weighted kilowatt/hour rate not to exceed 5.33 cents per kilowatt hour'. Mr. Blackburn seconded. The motion passed 7-0-0.

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

Mr. Keebler inquired why the City did not solicit proposals from other companies.

Mr. Elliott advised the City did obtain bids approximately 6 years ago and hired a consultant to assist with obtaining price quotes and at that time the City received a rate which was a percentage below the standard rate. Mr. Elliott noted over a 10 year period generation rates had come down but with the economy improving the rates were going back up and he did not think they would ever get any lower than what the City was offered by DERS. Mr. Elliott advised if staff spent 2 months obtaining price quotes the rates could increase by one cent which would be significant for the City. Mr. Elliott noted Council would discuss a municipal aggregation program this evening which would not include the City's usage or Miami University's usage and if approved by Council and by the voters in November he would look at adding other communities to the program to have a greater load and better pricing. Mr. Elliott advised staff was recommending DERS for the City's usage as they felt it was the best pricing the City could obtain.

Ms. Rousmaniere moved to adopt Resolution No. 4826 as amended. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION **PAVING CONTRACT**

A Resolution No. 4827 accepting the bid and authorizing the City manager to enter into a contract with Barrett Paving Materials, Inc. for resurfacing and maintenance work at a cost of \$272,751.45 plus a contingency amount of ten percent (10%) of the contract price or \$27,248.00 for a total cost not to exceed \$299,999.45. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted the rehabilitation of Spring Street had been deferred for several years until the Armstong Student Center and several other Miami University renovations were completed along Spring Street. Mr. Dreisbach advised the project was not just the resurfacing of Spring Street as it would include the repair of several significant roadway base failures making it a quality street for years to come. Mr. Dreisbach noted Spring Street would be reconstructed from Patterson Avenue to Main Street and the work would be performed between July 18th and August 8th to coincide with improvements being constructed by Miami University along Spring Street and the intersection of Spring Street/Patterson Avenue/SR73. Mr. Dreisbach advised this year's paving program also included the surface course of asphalt on Gardenia Drive.

Mr. Dreisbach noted three bids were received for the project and Barrett Paving Materials, Inc. was the lowest and best bidder.

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

Mr. Keebler noted concern about a three way stop at Maple Street and advised he felt there needed to be a major discussion regarding the issue. Mr. Keebler noted the intersection should be signalized. Mr. Dreisbach advised that was independent of the paving project but he understood Mr. Keebler's concern.

Mr. Snyder noted the construction schedule sounded aggressive and inquired if it was do-able. Mr. Dreisbach advised yes, and staff would make sure it happened.

Mr. Snyder moved to adopt Resolution No. 4827. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

ELECTRIC AGGREGATION

An Ordinance To Facilitate Competitive Retail Electric Service To Promote Electrical Savings, Lower Cost Electricity Supplies And Other Benefits For Certain Electricity Consumers, Authorizing All Actions Necessary To Effect An Electric Aggregation Program Pursuant To Section 4928.20 Of The Ohio Revised Code And Article XVIII Section 4 Of The Ohio Constitution; Directing The Butler County Board Of Elections To Submit A Ballot Question To The Electors; And Authorizing An Agreement With An Agent For Such Purposes. (Doug Elliott, City Manager)

Mr. Elliott advised an electric aggregation program would provide a third option for the residents of Oxford and noted presently residents had two choices, the standard Duke Energy rate or the Electric Choice Program where consumers could choose between 66 different companies. Mr. Elliott advised those companies were posted on the PUCO website and some offered fixed rates, some offered variable rates, the terms could be for 3 months or for several years, some had cancellation fees and some offered renewable energy components. Mr. Elliott noted if Council adopted the proposed Ordinance, the issue would be placed on the November ballot. Mr. Elliott advised if the voters passed the issue, the City would create its opt-out program and present it to the public during two public hearings. Mr. Elliott noted he would look to partner with other communities for a greater electric load to obtain better pricing. Mr. Elliott advised this market changed on a daily basis and he felt it would be good for the community to have a third option.

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

Ms. Rousmaniere advised this topic was raised by the Oxford League of Women Voters and education regarding the ballot initiative would be supported by the league and by the Environmental Commission. Ms. Rousmaniere noted this issue could be confusing and it needed to be explained to the public.

Mr. Elliott concurred and noted that educating the public would be important.

ORDINANCE
FINAL ANNEXATION

An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 33.550 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager)

Mr. Elliott advised this was the final step in this annexation process which was approved by the County Commissioners. Mr. Elliott noted Council needed to adopt the proposed Ordinance in order to effect the annexation. Mr. Elliott advised there would be two readings of the proposed Ordinance and after 30 days this property would be part of the City.

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

Mr. Snyder noted Council had already adopted several Resolutions regarding the proposed annexation.

ORDINANCE
SURPLUS PROPERTY

An Ordinance Declaring Parcel Number H4100110000010 Located Along Millville-Oxford Road In Oxford To Be Surplus Property And No Longer Needed For Municipal Purposes; And Authorizing The City Manager To Enter Into An Agreement With Miami University For The Sale Of The Property. (Mike Dreisbach, Service Director)

Mr. Elliott advised this was part of the settlement on the appropriation procedures for this parcel and he recommended the sale of it to Miami University as it was surrounded by land owned by the university. Mr. Elliott noted the City would acquire the right-of-way needed for the US27 South improvement project and then declare the land surplus as the City had no need for it and sell it to Miami University for \$60,000.

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

Ms. Rousmaniere inquired if Miami University wanted to purchase the parcel and Mr. Elliott advised yes, as it was surrounded by their lands. Mr. Keebler noted the parcel had been for sale for years and there was no other use for it.

ORDINANCE
SECOND READING

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance No. 3270 Approving A Zoning Map Amendment For Approximately 39 Acres Of Land Fronting Southpointe Parkway In Oxford, Ohio, Rezoning The Property From OI (Office and Light Industrial) District To R2A (Single and Two Family Residential) District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new to add since the first reading. Mr. Chen noted the recommendation from the Planning Commission was to deny the rezoning request as they felt it did not meet any of the decision standards. Mr. Chen advised the applicant, Mr. Webb, would make a presentation.

Mr. Scott Webb, Applicant, provided some slides of the property in question as he discussed the history of the property which had to do with a proposed connector road that would connect US27 with SR73. Mr. Webb reminded Council that the City of Oxford did not zone the property, it was zoned through an annexation agreement. Mr. Webb noted the original zoning was established in the county as part of the Thoroughfare Plan and as part of a lobbying effort on behalf of Miami University and others to try to get the connector road built. Mr. Webb advised the City of Oxford decided not to participate in the connector road project and it was never going to happen. Mr. Webb referred to page 68 of the agenda and noted Council's decision tonight was based on the decision standards and he felt some of those deserved to be highlighted. Mr. Webb discussed decision standard B. 'The proposed amendment will make the map conform more closely to the Comprehensive Plan'. Mr. Webb noted the Comprehensive Plan like the connector road was drawn around something that was never going to happen. Mr. Webb referred to decision standard C. 'There has been a substantial change in area conditions that necessitates the amendment'. Mr. Webb advised there had been a significant change in the area that warranted the rezoning based on the fact that the entire idea for the Tech Park project was based on the connector road and OI zoning was no longer necessary in this location. Mr. Webb referred to decision standard D. 'There is a legitimate need for additional land area in the zoning district that will be expanded'. Mr. Webb noted there was not a legitimate need for 158 acres of OI property. Mr. Webb advised the Miami Heritage Tech Park was awarded a grant and had the connector road gone through and there was a connection between the two parks it might have made sense. Mr. Webb noted there was absolutely no market for a Tech Park in this location and the businesses that would most likely locate there had already left the City of Oxford. Mr. Webb advised the R2 zoning being requested was for single and two family dwellings and not for student housing. Mr. Webb noted the OI district was very restrictive and after 8 years of marketing there was no interest in this property. Mr. Webb advised he felt there was still a need for some OI property in town and people should pool their resources to focus on the Tech Park that had a grant in hand.

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

Ms. Rousmaniere noted this matter was discussed at the Environmental Commission meeting and they inquired if the Planning Commission would implement open space residential development regulations if the land was rezoned. Mr. Webb advised if the zoning amendment was approved it would be followed by a subdivision application and the Environmental Commission and the Planning Commission had done a lot of work revising the subdivision regulations which included conservation development. Mr. Webb noted this would be a perfect opportunity to implement that.

Mr. Keebler noted he was on the fence about this issue at the last meeting but he intended to support the request. Mr. Keebler advised the connector road was not there, the market was not there and things had changed in the area. Mr. Keebler noted he felt it was a good attempt and everyone thought it was the right thing to do at the time. Mr. Keebler agreed with Mr. Webb and noted the Comprehensive Plan recognized the site and accepted it. Mr. Keebler advised Council would still have a lot of input on how the property would look and feel because of the subdivision Ordinance. Mr. Keebler noted there had been no public comments throughout this process suggesting it was the wrong thing to do. Mr. Keebler advised OI zoning allowed 70% lot coverage and that would not happen with R2 zoning. Mr. Keebler noted there was OI zoned land across the road from the property in question.

Mr. Snyder noted he was not present at the last meeting. Mr. Snyder advised he was involved in these deliberations early on as a Miami University representative. Mr. Snyder noted he was not convinced the developers initially wanted OI zoning and advised there were discussions about it being easier to annex if OI was involved for a Tech Park. Mr. Snyder advised the history of the connector road and the Tech Park had been very much intertwined. Mr. Snyder noted it was 16 years ago that the concept of a Tech Park in this community was originally discussed and the time had passed for that as technology had changed. Mr. Snyder advised it was the right thing to do at the time and now it was a failed initiative and Council needed to move on. Mr. Snyder noted there would still be 120 acres of OI land in the community and 74 acres of that was a Tech Park concept. Mr. Snyder advised Council needed to look at different ways to market OI zoning and what they could expect to bring into town. Mr. Snyder noted he was all for creating jobs and a Tech Park was not going to create jobs. Mr. Snyder advised he would support the proposed Ordinance.

Ms. Southard noted the OI property in question had infrastructure in place and the City needed space for offices, research, businesses, governmental offices, etc. and that was what the property in question was for. Ms. Southard advised she did not feel the City needed more residential housing in this area or anywhere. Ms. Southard noted she remained unconvinced that Council needed to rezone the property and she would favor that Council maintained the OI designation in this area.

Ms. Rousmaniere advised she voted against this rezoning at the Planning Commission meeting but changed her mind and would vote for it this evening. Ms. Rousmaniere noted she would like Council to stop talking about the OI district as being designated for only light industrial or Tech Park uses. Ms. Rousmaniere advised the OI designation could be used for professional offices, businesses, government, medical offices, a school building, rental office, fraternity or sorority office etc.

Ms. Southard noted Council should be thinking long term and planning for the future. Ms. Southard advised Council should try to have a vision for the future and having professional offices to the south of town still made sense even if it did not happen in the next year or two.

Mr. Snyder agreed that Council needed to be looking forward and City Council 8-10 years ago was looking forward and tried to come up with a Tech Park concept. Mr. Snyder noted at some point if something did not work out you had to try something else. Mr. Snyder advised the developers tried to market the property in other ways than a Tech Park. Mr. Snyder noted there would still be 128 acres of OI land that had been undeveloped for a long time. Mr. Snyder advised there had been different types of initiatives over the years to try to bring new business into town and when you hit a dead end it was time to try something else.

Mr. Keebler noted it wasn't wrong, but to suggest the community had 74 acres on Oxford Milford Road that could be used for professional offices without a major player with 3 million dollars to match the state grant was a long shot.

Mr. Snyder inquired how long a developer should be held hostage in terms of developing their land. Mr. Snyder noted this developer put in a good faith effort over the years to try to accomplish the Tech Park project. Mr. Snyder advised the City didn't deliver as there was no connector road and the developer was still waiting for a sidewalk to be installed which was part of the agreement.

Mayor McKeehan advised he was on the fence regarding this issue at the last meeting but he too was going to support it. Mayor McKeehan noted the developer tried to market the property in question and owners of other OI property had been unsuccessful in marketing their properties. Mayor McKeehan noted that Mr. Kyger shared at the last meeting that 90% of businesses were looking for existing facilities to move into. Mayor McKeehan advised he did not see the need for the property in question to remain zoned OI and if the need occurred there would still be plenty of land zoned for OI use.

Mr. Snyder moved to adopt Ordinance No. 3270. Mr. Blackburn 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 updated Council and the public regarding technical difficulties the Regional Income Tax Agency had been experiencing.

Mr. Elliott updated Council and the public regarding the City's Community Development Block Grant allocation for 2014 noting Oxford would receive \$113,766 which was 10% of the county's allocation.

Mr. Elliott advised staff from the City of Oxford, Miami University, and the Butler County Regional Transit Authority (BCRTA) had been meeting to explore a TIGER Discretionary Grant application for a Multi-Modal Transit Center in Oxford. Mr. Elliott noted the federal notice of funding availability stated that \$600 million was appropriated to be awarded by the US Department of Transportation and the applications were due April 28, 2014. Mr. Elliott advised \$120 million was set aside for rural areas of which Oxford and Butler County qualified. Mr. Elliott noted BCRTA would apply for the funding and Miami University would provide the required match. Mr. Elliott advised the City of Kent, Ohio, Kent State University, and PARTA were successful in obtaining a Tiger grant for \$20 million to build a multi-modal transit center as part of their downtown redevelopment project known as Kent Central Gateway.

Ms. Rousmaniere inquired if there was an update on Municipal Income Tax Reform. Mr. Elliott advised no, but he was watching for any activity regarding the matter closely and he would let Council know of any progress.

Ms. Brahier advised the Park and Recreation summer brochure was published and available for the public. Ms. Brahier noted the Night Egg Scramble for 4th-8th graders would take place April 17th at 9:30 p.m. at the TRI and the Day Egg Scramble for 1 yrs. – 3rd grade would take place April 19th at 11:00 a.m. at the Community Park.

Ms. Brahier thanked several fraternities and sororities for volunteering their time to assist with projects at the Community Park and for assisting with the Easter egg hunt preparation.

Mr. McHugh advised he met with Mr. Davis of the Talawanda School District and the closing for the former high school property would take place April 29, 2014.

Ms. Rousmaniere echoed Ms. Macechko's remarks about the Opiate Town Hall Meeting on April 23, 2014 where various medical and legal experts would discuss the problems in the community and around the country with opiates and opiate addiction.

Mr. Smith echoed sentiments from the HAPC Chair and encouraged everyone to watch for information regarding the Historic Guided Walking Tours in May.

Mr. Keebler advised there had been discussions regarding the potential uses of the former Talawanda High School property one of which was a fairly large parking area. Mr. Keebler noted he was not opposed to that as it would get cars off of the streets. Mr. Keebler advised if a parking area was developed he hoped the City could work with Miami University on the project to make sure green space was preserved and that it was a good project for the whole community.

Mr. Keebler advised if the former high school property was developed as a transient lot and transportation hub it would be a significant impact on Chestnut Street and Council might need to look at the signage at Chestnut Street and Campus Avenue as well as realigning Main Street with Collins Run Road. Mr. Keebler reiterated his hope that Council would be involved with whatever occurred on the former high school site.

Mr. Blackburn advised the Kinetics Festival was fantastic and commended Kate Currie and all of the volunteers noting they did a great job. Mr. Keebler concurred

Mr. Blackburn referred to the Community Forum to Address High Risk Alcohol Behaviors which would take place on May 1, 2014 and advised some of the panelists were Sergeant Yates from MUPD, Sergeant Reising from OPD, Katrina Rice from Drug Free Greater Cincinnati, City Manager, Doug Elliott, Amy Macechko with the Coalition for a Healthy Community and Ari Frum from the Student Community Relations Commission. Mr. Blackburn noted he was glad to see the issue being addressed openly and noted his hope this would get more people concerned about the problems.

Mayor McKeehan thanked everyone involved with the Kinetics Festival noting he spent some time there and it was a wonderful event which was very well attended.

Mayor McKeehan noted with the warmer weather more people were out walking, jogging, biking and playing and encouraged everyone to be cognizant of pedestrians and bicyclists to ensure the safety of the community.

Mayor McKeehan advised he traveled to Columbus last week for his day job as the Ohio Bankers League held a conference at the Statehouse. Mayor McKeehan noted after his banking duties were finished he mentioned municipal income tax reform to Senator Seitz, Representative Blessing and Representative Derickson. Mayor McKeehan reiterated that the issue had quieted down but could percolate back up.

Mayor McKeehan noted after spending a day in Columbus – Oxford did not have a parking problem.

ADJOURN

Ms. Rousmaniere moved to adjourn at 9:23 p.m. Mr. Blackburn 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 6, 2014

Sam Perry
Prepared By

Account Code No. #:

May 1, 2014
Date Prepared

Budgeted Amount:

Agenda Title: **Board of Zoning Appeals Meeting Report – April 16, 2014**

Adjudication Hearings

BZA-2014-03 325 W. Spring Street, Peak Health & Nutrition, variance to Section 1149.03(e), reduction in the parking space requirement, for installation of a free-standing sign, **Andy Shea, Applicant, Agent**

The applicant requested the removal of two parking spaces so that a new freestanding/monument sign could be installed. There is not currently a freestanding sign for this property. The square footage of the building/use requires 15 parking spaces. The applicant testified that for the current use, there is ample parking. However, the BZA was concerned that future users of the building could have higher parking demands. There was discussion among staff and BZA about attaching a condition to the approval that the variance would expire if the current building user vacated the premises. The BZA gave the applicant the choice of the decision being tabled until there was more than three board members present, and also to allow staff time to research the legality of a variance expiration. The BZA voted unanimously to table the decision, with agreement from the applicant.

Next Meeting

The next BZA meeting will take place on May 14, 2014.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial

Date

JHC / 5/1/14

DRE / 5/2/14

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Originating Department

Council Meeting Of: May 6, 2014

Robert Holzworth

Account Code No. #: 110.110.52320

Prepared By

Budgeted Amount: \$20220

April 29, 2014

Date Prepared

Agenda Title: Lease Agreement for Ricoh Aficio MP C3503 color copier through State Contract (#800310) pricing.

Recommendation: Approve

Discussion: The Ricoh Aficio MP C3503 color copier from Woodhull will replace our current Sharp MX-5001N color copier.

The current lease for the Sharper copier is \$230 per month and the maintenance cost is \$1200 per year. The maintenance agreement includes 150,000 B&W copies per year; overages are \$.008 per B&W copy. Color copies are \$.062 per copy. The current lease and maintenance has averaged \$388 per month over the term of the lease.

The new lease and maintenance agreement for the Ricoh Aficio MP C3503 would be locked in for 60 months at \$337 per month. 6000 B&W copies and 1000 color copies are included in the maintenance agreement. Overage costs are locked in as well at \$.009 per B&W copy and \$.056 per color copy; however, we currently average 6000 B&W copies and 1000 color copies so we do not anticipate having to pay overage costs on a regular basis.

The new lease and maintenance agreement with Woodhull would offer an average savings of \$51 per month.

State Contract #800310

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] 5/2/2014

DRE 5/2/14

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WOODHULL FOR A 60-MONTH LEASE OF A RICOH AFICIO MP C3503 COLOR COPIER.

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

SECTION 1: The Police Chief and the City Manager have reviewed information submitted for the replacement of the existing copier equipment and have recommended that the current copier equipment be replaced with the Ricoh Aficio MP C3503 color copier.

SECTION 2: The Police Chief and the City Manager recommend that the City enter into a 60-month lease with Woodhull for the Ricoh Aficio MP C3503 color copier at a monthly cost of \$337.00 with a maintenance agreement which includes 6,000 black and white copies and 1,000 color copies. Overage costs are locked in at \$.009 per black and white copy and \$.056 per color copy. It is anticipated that this lease agreement would result in an average savings of \$51.00 per month over the lease for the current copier.

SECTION 3: Council accepts the recommendation of the Police Chief and the City Manager and hereby authorizes the City Manager to enter into an agreement with Woodhull for a 60-month lease of the Ricoh Aficio MP C3503 color copier.

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)

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: May 6, 2014

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 28, 2014

Date Prepared

Agenda Title: Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act.

Recommendation: N/A

Discussion:

The Sunshine Law Training, provided by the Ohio Attorney General's Office or the Auditor of State's Office is a three hour certification training session for all elected officials, and/or their appropriate designee, as well as members of the general public. The training session is provided in order to enhance the knowledge of public offices regarding the duty to provide access to public records as required by Section 149.43 of the Ohio Revised Code. The session will include discussion on the Ohio Public Records Act and the Ohio Open Meetings Act. All local and statewide elected governmental officials or their designees must attend a three-hour public records training program during each term of elected office. Designating the Clerk of Council will assure compliance with the training provision in the event Councilors do not wish to attend the training. If Councilor's do wish to attend training, please let the Clerk know.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 5/2/13

RESOLUTION NO.

A RESOLUTION APPOINTING THE CLERK OF COUNCIL AS DESIGNEE FOR THE CITY OF OXFORD'S ELECTED OFFICIALS RELATIVE TO THE MANDATORY PUBLIC RECORDS TRAINING AS REQUIRED BY THE OHIO PUBLIC RECORDS ACT.

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

SECTION 1: All local and statewide elected government officials or their designees must attend a three-hour public records training program during each term of elective office.

SECTION 2: Council hereby appoints the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory public records training as required by The Ohio Public Records Act.

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)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the May 6, 2014
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: April 30, 2014

Agenda Title: MOON Co-Op Revolving Loan Modification

Recommendation: Approval with conditions.

MOON Co-Op is requesting another 12 month continuation of the modification to their existing Revolving Loan Fund (RLF) loan. The purpose of this request is to assist MOON's operational working capital, by continuing with the lower 'Interest Only' loan repayment.

MOON Co-op entered into a 5 year, \$245,000 RLF agreement with the City of Oxford on May 6, 2011. MOON Market opened in November of 2011. In the summer of 2012 MOON Co-op requested and was granted a loan modification. This modification allowed MOON Co-op to make 'Interest Only' payments for one year. May 2012 to April 2013. This lowered MOON's monthly RLF debt obligation from \$4,402 to \$516 per month, saving MOON \$3,886 in monthly operational expenses.

MOON requested and was granted a second one year extension in May of 2013. This will be the third request for 12 months of 'Interest Only' payments.

On April 9th the CIC Loan Review Committee met to review and discuss MOON's request. Upon reviewing the MOON Co-op financial statements, the CIC Board feels it is in the best interest of the public RLF fund to grant an additional loan modification.

The Oxford CIC Board is recommending the MOON Co-op RLF loan be modified in:

- * Extending the loan by one additional year.
- * Allowing 'interest only' payments from May 2014 to April 2015.
- * Monthly financial & bank statements shall be provided to the City.
- * MOON Co-op member loans will not be repaid during this period.
- * During this one year extension, the CIC Loan Review Committee will meet with MOON to re-negotiate the loan. The goal of this re-negotiation is to create a loan structure which will allow MOON to be able to make loan payments which include both interest and principle payments.

Reviewed By:

	Initial	Date
Department Head:	_____	_____
City Attorney:	_____	_____
City Manager:	DRE	5/2/13

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE LOAN AGREEMENT BETWEEN THE CITY OF OXFORD AND MOON COOPERATIVE SERVICES, INC. WITH CONDITIONS.

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

SECTION 1: A request was made by the borrower, Moon Cooperative Services, Inc. to amend the loan agreement with the City of Oxford to extend the promissory note from seven (7) years to eight (8) years and to extend interest only loan payments for an additional period of twelve (12) months.

SECTION 2: Council finds that the Oxford Community Improvement Corporation Loan Review Committee met on April 9, 2014 to consider amending the loan agreement between the City of Oxford and Moon Cooperative Services, Inc. to extend the promissory note from seven (7) years to eight (8) years and to extend interest only loan payments for an additional period of twelve (12) months.

SECTION 3: The Oxford Community Improvement Corporation Loan Review Committee, after due deliberation, did recommend the loan be amended to extend the promissory note from seven (7) years to eight (8) years and to extend the Moon Cooperative Services, Inc. current loan extension of interest only payments for an additional twelve (12) months with the following conditions:

- a. The borrower shall provide monthly financial and bank statements to the City of Oxford.
- b. Until resumption of the payment of the principal portion of the promissory note occurs, Moon Cooperative Services, Inc. shall not repay loans to its member-owners.
- c. Negotiations shall take place prior to April 2015 to structure a new loan which allows the borrower to make loan payments which include both interest and principle amounts.

SECTION 4: Council hereby accepts and approves the recommendation of the Oxford Community Improvement Corporation Loan Review Committee and authorizes the City Manager to enter into an addendum agreement between the City of Oxford and Moon Cooperative Services, Inc. to extend the promissory note from seven (7) years to eight (8) years and to allow interest only payments for an additional period of twelve (12) months with conditions as stated above.

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)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: April 15, 2014

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 4, 2014

Date Prepared

Agenda Title: An Ordinance to initiate a Governmental Electric Aggregation Program.

Recommendation: Adopt the Ordinance.

Discussion:

In Ohio, local communities are allowed by law, to join their citizens together to buy electricity as a group and thereby gain 'buying power' to solicit the lowest price for the group's electricity needs. This is called Governmental Aggregation. I am recommending an opt-out form of aggregation. Under this type of aggregation all eligible consumers located in Oxford are automatically included except consumers who choose not to participate. The first step is for City Council to adopt legislation to place the issue on the ballot. After adoption by City Council, the issue will be placed on the ballot for the general election. Citizens of Oxford will then have an opportunity to vote on this ballot issue. If the opt-out ballot issue passes, then the City must address how the program will be developed and hold at least two public hearings for citizen input on the plan.

Presently in the City of Oxford, the residents have only two choices for their electric energy needs. One is the standard Duke Energy rate and the other is to select a supplier through the Electric Choice Program (There are presently 66 options available. In 2012, twenty-five options were available. In 2011, eleven options were available. In 2010, three options were available). If an electric Aggregation Program is adopted by City Council and the residents, this will provide a third option.

Approved By:

Initial Date

Department Head:

City Manager:

DEE \ 4-11-14

ORDINANCE NO.

ORDINANCE TO FACILITATE COMPETITIVE RETAIL ELECTRIC SERVICE TO PROMOTE ELECTRICAL SAVINGS, LOWER COST ELECTRICITY SUPPLIES AND OTHER BENEFITS FOR CERTAIN ELECTRICITY CONSUMERS, AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT AN ELECTRIC AGGREGATION PROGRAM PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE AND ARTICLE XVIII SECTION 4 OF THE OHIO CONSTITUTION; DIRECTING THE BUTLER COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AND AUTHORIZING AN AGREEMENT WITH AN AGENT FOR SUCH PURPOSES.

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

SECTION 1: Article XVIII Section 4 of the Ohio Constitution grants the City of Oxford certain authority related to utility service and pursuant to Chapter 4928 of the Ohio Revised Code, to facilitate competitive retail electric service to promote electricity savings, lower cost electric supplies, and other benefits, certain governmental entities may aggregate certain electricity consumers within their jurisdictions.

SECTION 2: Pursuant to ORC Section 4928.20, the City of Oxford is authorized to act as an aggregator by establishing an automatic opt-out governmental aggregation program for the provision of competitive retail electric service ("Electric Aggregation") for the benefit of certain electricity consumers within the City so that the consumers may realize lower cost electricity supplies and other benefits from the aggregation and combined purchasing of electric supplies.

SECTION 3: Electric Aggregation provides an opportunity for electricity consumers collectively to realize electric savings, lower cost electricity supplies, and other benefits that the consumers may not otherwise be able to realize individually.

SECTION 4: In the public interest, the City of Oxford desires to submit to the electors of the City of Oxford the question of whether the City of Oxford should create an Electric Aggregation program to facilitate competitive retail electric service to promote electricity savings, lower cost electric supplies, and other benefits in accordance with ORC Section 4928.20.

SECTION 5: This Council finds and determines that to facilitate competitive retail electric service to promote electric savings, lower cost electricity supplies, and other benefits, it is in the best interest of the City of Oxford and certain electricity consumers within the jurisdiction of the City of Oxford to establish an Electric Aggregation program in the City of Oxford pursuant to ORC Section 4928.20. Provided that this Ordinance and Electric Aggregation program is approved by the electors of the City of Oxford in accordance with this Ordinance, the City of Oxford is hereby authorized to take all actions necessary to affect an Electric Aggregation program pursuant to ORC Section 4928.20. The City of Oxford may exercise this authority jointly with other entities to the full extent permitted by law. Further, for such purposes, the City Manager of the City of Oxford is hereby authorized to execute and deliver an agreement with a to-be-named agent ("Agent") to assist the City of Oxford as its consultant and agent to effect the Electric Aggregation program. Actions necessary to effect the Electric Aggregation program include determining and entering into service agreement(s) with suppliers to facilitate the sale and purchase of all electricity, competitive retail electric services, and retail electric generation to serve the enrolled consumers.

The City of Oxford shall be authorized by the electors to be the only entity authorized to act for and on behalf of the enrolled electric consumers to determine and select the provider(s) to supply the commodity and all other services for Electric Aggregation program and the enrolled consumers.

SECTION 6: The Electric Aggregation program shall not apply to persons that are not eligible pursuant to Rules and/or Orders of the Public Utilities Commission of Ohio ("Commission") or not eligible pursuant to the adopted plan of operations and governance ("Plan") for the Electric Aggregation program.

SECTION 7: The Board of Elections of Butler County is hereby directed to submit the following question to the electors of the City of Oxford at the fall election on November 4, 2014:

To facilitate competitive retail electric service to promote electric savings, lower cost electricity supplies, and other benefits, shall the City of Oxford have the authority to aggregate retail electrical loads and enter into service agreements for the sale and purchase of electricity and other services, such aggregation to occur automatically unless any person affirmatively elects not to be enrolled by a stated procedure?

FOR, the City of Oxford to facilitate competitive retail electric service to promote electricity savings and other benefits by acting as an aggregator.

NOT FOR, the City of Oxford to facilitate competitive retail electric service to promote electricity savings and other benefits by acting as an aggregator.

The Clerk of this Council is instructed to file a certified copy of this Ordinance and the proposed form of the ballot question with the Butler County Board of Elections not later than August 6, 2014, which is ninety (90) days prior to November 4, 2014.

The Electric Aggregation program shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held in accordance with this Ordinance and ORC Section 4928.20. Upon approval, the Electric Aggregation shall take effect at the earliest permissible point in time and continue thereafter in accordance with ORC Section 4928.20, and other requirements of ORC Chapter 4928.

SECTION 8: Upon approval by a majority of the electors voting at the election provided for in this Ordinance, the City of Oxford shall develop and adopt a Plan of operations and governance for the Electric Aggregation program. Before adopting such Plan, at least two public hearings on the Plan shall be held. Before the first hearing, notice of the first hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Oxford. The notice shall summarize the Plan and state the date, time, and location of each hearing. Consumers enrolled in the Electric Aggregation program shall be supplied their electrical requirements and other services in accordance with supply agreement(s) determined and arranged by the City of Oxford, as opportunities become available to provide benefits to consumers. The City of Oxford shall be authorized by the electors to be the only entity authorized to act for and on behalf of the consumers that have enrolled in the Electric Aggregation program to determine and select the supplier(s) to provide the electricity and all other services for the Electric Aggregation program.

SECTION 9: The adopted Plan shall not aggregate any retail electrical load within the City of Oxford, unless the person whose electrical load is to be so aggregated is notified in advance that the person will be enrolled automatically in the Electric Aggregation program and shall remain so enrolled, unless the person affirmatively elects not to be so enrolled by a stated procedure. The disclosure shall state the rates, charges, and other terms and conditions of the enrollment. Once enrolled the consumer may only opt-out of the Electric Aggregation program every two years without paying a switching fee. Any such person that opts-out of the Electric Aggregation program shall default to the standard offer service of the person's electric distribution utility, until the person chooses an alternative supplier.

SECTION 10: The Butler County Board of Elections shall cause an appropriate notice to be duly given of the election to be held on November 4, 2014, on the foregoing proposal and otherwise to provide for such election in the manner provided by the laws of the State of Ohio.

SECTION 11: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in compliance with the law.

SECTION 12: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: April 15, 2014

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 7, 2014

Date Prepared

Agenda Title: An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 33.550 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed.

Recommendation: Adopt the Ordinance

Discussion:

The City was approached by representatives of a bank that owns a parcel of land across the street from Wal-Mart on the corner of US 27 North and Todd Road. The property owner desires water and sewer service from the City. The City's policy requires annexation in order to receive water and sewer service. This tract of land is presently vacant and consists of 13.72 acres. The City included two other parcels of land in the annexation. The other two parcels are Koenig Equipment (9.66 acres) and Gillman's (6.76 acres). Both of these Property owners signed agreements with the City stating that they agreed to annex when requested by the City. Koenig signed in 1998 and Gillman's in 2005. Portions of eight other parcels were included in the petition (two owned by the City of Oxford). These additional parcels consist of right-of-way. This is the final legislative step in this annexation process.

Approved By:

Initial Date

Department Head:

City Manager:

DRE \ 4-11-14

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 33.550 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: On December 30, 2013 Douglas R. Elliott, Jr., Agent for the petitioners, filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territories consisting of 33.550 acres of land contiguous to the City of Oxford and the existing corporation line of the Township of Oxford, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Sections 709.021 and 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.14-01-00490 adopted on January 30, 2014, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4806 a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about January 31, 2014.

SECTION 4: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 5: The proposed annexation, as applied for in the petition of the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Statement of Services Resolution No. 4806 attached hereto and incorporated herein as Exhibit "A". The territory to be annexed is more particularly described in Exhibits "B" and "C," attached hereto and incorporated herein.

SECTION 6: The Clerk of the City of Oxford be and is hereby authorized and directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 7: 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)

RESOLUTION NO. 4806

RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF OXFORD, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF OXFORD, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO BY DOUGLAS R. ELLIOTT JR., AGENT FOR PETITIONERS, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

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

SECTION 1: Council, having received the notification of a petition for annexation from First Baptist Church, John T. Ratliff, Ringwood Properties Ltd., Irving Materials Inc., Koenig Equipment, Inc., Merion Realty, Inc., GHCOL LLC., and Timothy H. Myers Tr. of the Ernest A. Myers Trust for 33.550 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

SECTION 2: Council hereby adopts this resolution indicating what services the City will provide to the land to be annexed to the City in accordance with Ohio Revised Code Section 709.023(C).

SECTION 3: The City of Oxford, Ohio hereby states that it will provide, upon the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff; which said services shall be available immediately or as required thereafter upon finalization of the annexation. In addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, electricity, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the citizens of the City of Oxford, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations, conditions and fees as the City deems appropriate.

SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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


MAYOR

ADOPTED: January 7, 2014

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

Date: December 10, 2013

Description: 33.550 Acres
Annexation

Location: U.S. Route. # 27, Todd Road and
Ringwood Road
Oxford Township, Butler County



Situated in Part of Original Lots 5 and 6, Section 16, Town 5, Range 1, Oxford Township, being parts of the lands of the Koenig Equipment, Inc., as recorded in Official Record 6242, Page 1972 and part of the lands of Merion Realty Inc., as recorded in Official Record 8362, Page 287 and part of the lands of the City of Oxford, as recorded in Official Record 8300, Page 352 and being part of the lands of City of Oxford, as recorded in Official Record 8113, Page 2303, and part of the lands of First Baptist Church of Oxford, as recorded in Official Record 6971, Page 1245 and part of the lands of Timothy H. Myers Tr. of the Ernest A. Myers Trust Agreement dated June 10, 1988., as recorded in Official Record 6253, Page 40, being part of the lands of John T. Ratliff, as recorded in Official Record 8635, Page 1681, and part of the lands of Ringwood Properties LTD., as recorded in Official Record 7278, Page 1348 and Official Record 8191, Page 1665, being part of the lands of Irving Materials, Inc., as recorded in Deed Book 1741, Page 373, and all of the lands of GHCOL LLC., as recorded in Official Record 7505, Page 1174 all of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the northeast corner of said Lot 5, and being on the centerline of Todd Road, and on the City of Oxford corporation line and also being the northwest corner of the lands of Wal-Mart Real Estate Business Trust as recorded in Official Record 7739, Page 1755 of the Butler County Recorder's Office and the **True Point of Beginning**;

thence, with the east line of said Lot 5, with the west line of said lands of Wal-Mart Real Estate Business Trust and with said City of Oxford corporation line, South 02° 16' 58" West, 528.10 feet to the southwest corner of said lands of Wal-Mart Real Estate Business Trust and being on the north line of the lands of the City of Oxford as recorded in Deed Book 8209, Page 707 of the Butler County Recorder's Office and being on the centerline of Oxford College Corner Road (U.S. RT. #27);

thence, leaving said east line of said Lot 5, and said west line of said lands of Wal-Mart Real Estate Business Trust, with said City of Oxford corporation line, with the centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707, with a curve to the right, having a central angle of 00° 39' 10", a radius of 12277.70 feet, an arc length of 139.87 feet, and a chord bearing North 43° 25' 36" West, 139.87 feet;

thence, continuing with said City of Oxford corporation line, with said centerline of Oxford College Corner Road (U.S. RT. #27) and with said north line of the City of Oxford as recorded in Deed Book 8209, Page 707 and with the north line of the lands of the City of Oxford as recorded in Deed Book 8229, Page 879, and the lands of the City of Oxford as recorded in Official Record 8113, Page 2303 of the Butler County Recorder's Office, North 43° 06' 01" West, 589.74 feet to a point and being South 43° 06' 01" East, 388.63 feet from the northwest corner of said lands of the City of Oxford as recorded in Official Record 8300, Page 352;

120846-000 131210 Legal.doc

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

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

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

P.O. Box 3706
Lawrenceburg, Indiana 47025
812-537-9064

thence, leaving said centerline of Oxford College Corner Road (U.S. RT. #27), along said City of Oxford corporation line and being 20.00 feet south of the centerline of Ringwood Road and through said lands of City of Oxford as recorded in Official Record 8113, Page 2303 and said lands of First Baptist Church of Oxford and said lands of John T. Ratliff and said lands of Timothy H. Myers Tr. of the Ernest A. Myers Trust Agreement dated June 10, 1988 and said lands of Ringwood Properties Ltd. and said lands of Irving Materials, Inc., North 87° 18' 21" West, 879.06 feet;

thence, leaving said City of Oxford corporation line and through the right of way of said Ringwood Road and continuing with the east line of the lands of Peter C. Crum as recorded in Official Record 8416, Page 405 of the Butler County Recorder's Office, North 02° 17' 59" East, 348.19 feet;

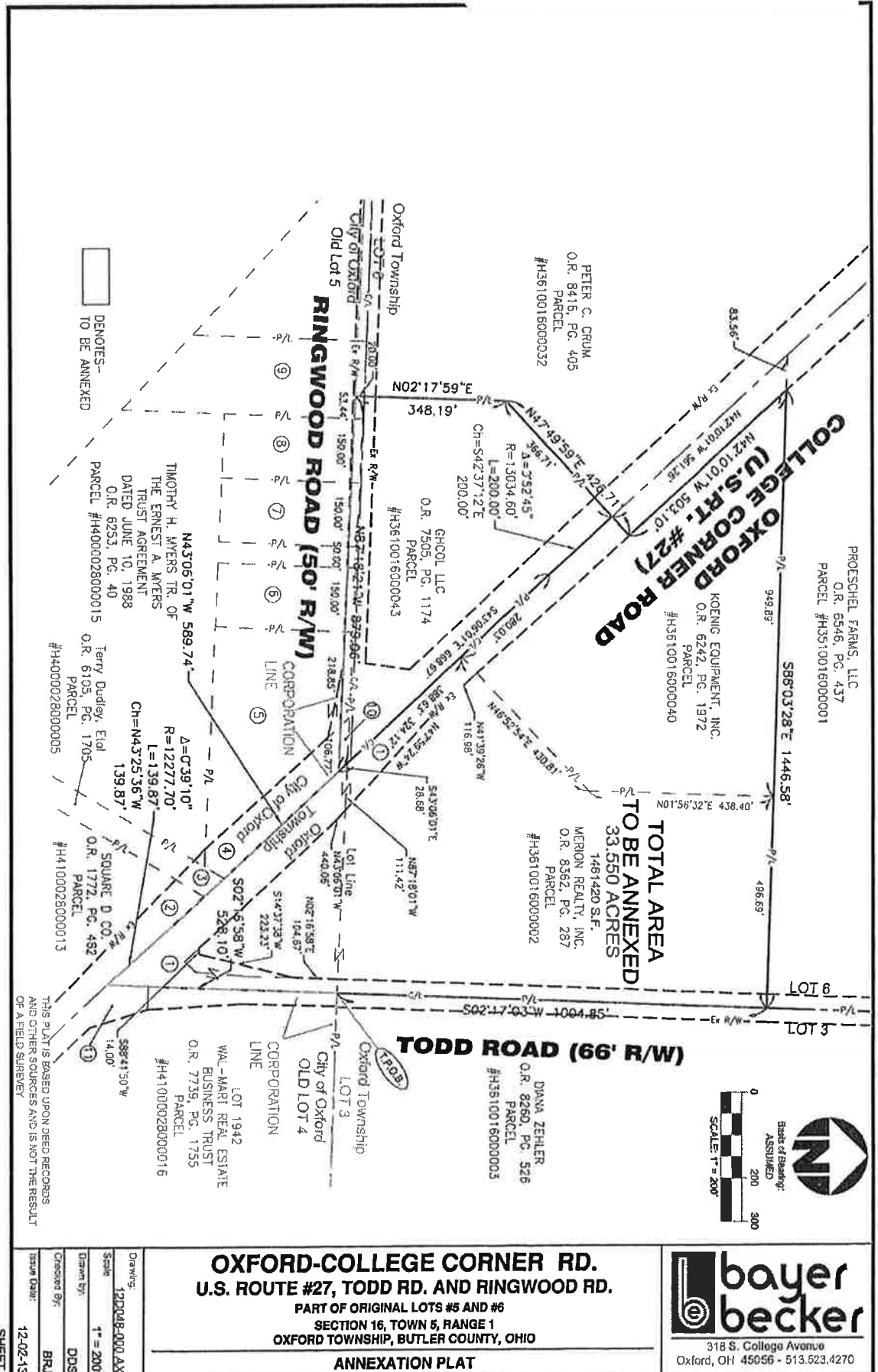
thence, continuing with said east line of Peter C. Crum, North 47° 49' 59" East, 426.71 feet to the northeast right of way of said Oxford College Corner Road (U.S. RT. #27) being in said lands of Koenig Equipment, Inc.;

thence, along said northeast right of way of Oxford College Corner Road (U.S. RT. #27) and through said lands of Koenig Equipment, Inc., North 42° 10' 01" West, 503.10 feet to the south line of the lands of Proeschel Farms, LLC. as recorded in Official Record 6546, Page 437 of the Butler County Recorder's Office;

thence, with said south line of Proeschel Farms, LLC, South 88° 03' 28" East, 1446.58 feet to the centerline of said Todd Road, being the west line of the lands of Diana Zehler as recorded in Official Record 8260, Page 526 of the Butler County Recorder's Office;

thence, with said centerline of Todd Road and with said west line of the lands of Diana Zehler, South 02° 17' 03" West, 1004.85 feet to west line of the lands of Diana Zehler the **True Point of Beginning** containing 33.550 acres more or less and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, December 10, 2013.



OWNER INFORMATION

- ① OWNER: CITY OF OXFORD
O.R. 8300, PG. 352
PARCEL #H3610016000044
2.252 ACRES
- ③ OWNER: FIRST BAPTIST CHURCH
O.R. 8971, PG. 1245
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H400028000036
0.096 ACRES
- ⑥ OWNER: JOHN T. RATLIFF
O.R. 8635, PG. 1881
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000014
0.069 ACRES
- ⑦ OWNER: RINGWOOD PROPERTIES LTD.
O.R. 7278, PG. 1348
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000012
0.069 ACRES
- ⑧ OWNER: RINGWOOD PROPERTIES
O.R. 8191, PG. 1665
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000010
0.069 ACRES
- ⑨ OWNER: IRVING MATERIALS INC.
D.B. 1741, PG. 373
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000011
0.025 ACRES
- ⑩ OWNER: KOENIG EQUIPMENT, INC.
O.R. 8242, PG. 1972
PARCEL #H3610016000040
9.662 ACRES
- ⑪ OWNER: MERION REALTY, INC.
O.R. 8382, PG. 287
PARCEL #H3610016000002
14.428 ACRES
- ⑫ OWNER: GHCOL LLC
O.R. 7503, PG. 1174
PARCEL #H3610016000043
6.756 ACRES
- ⑬ OWNER: CITY OF OXFORD
O.R. 8113, PG. 2303
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000019
0.049 ACRES
- ⑭ OWNER: TIMOTHY H. MYERS TR.
OF THE ERNEST A. MYERS TRUST
AGREEMENT DATED JUNE 10, 1988
O.R. 8253, PG. 40
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000015
0.005 ACRES

PERCENTAGE OF CONTIGUOUS = 36.0%

ADJOINERS

- ② CITY OF OXFORD
O.R. 8209, PG. 707
PARCEL #H4100028000023
- ③ CITY OF OXFORD
O.R. 8220, PG. 879
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000024
- ④ CITY OF OXFORD
O.R. 8113, PG. 2303
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000018
- ⑤ FIRST BAPTIST CHURCH OF OXFORD
O.R. 8971, PG. 1245
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000008
- ⑥ JOHN T. RATLIFF
O.R. 8635, PG. 1881
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000014
- ⑦ RINGWOOD PROPERTIES LTD.
O.R. 7278, PG. 1348
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000012
- ⑧ RINGWOOD PROPERTIES, LTD.
O.R. 8191, PG. 1665
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000010
- ⑨ IRVING MATERIALS INC.
D.B. 1741, PG. 373
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4100028000011
- ⑩ WAL-MART REAL ESTATE
BUSINESS TRUST
O.R. 7759, PG. 1755
LOT 1942
PARCEL #H4100028000016
- ⑪ PETER C. CRUM
O.R. 8418, PG. 405
PARCEL #H3610016000032
- ⑫ PROSCHEL FARMS LLC
O.R. 6546, PG. 437
PARCEL #H3510016000001
- ⑬ CITY OF OXFORD
O.R. 8153, PG. 436
PART OF LOT 1942 CITY OF OXFORD
PARCEL #H4100028000022
- ⑭ TIMOTHY H. MYERS TR.
OF THE ERNEST A. MYERS TRUST
AGREEMENT DATED JUNE 10, 1988
O.R. 8253, PG. 40
PART OF LOT 1943 CITY OF OXFORD
PARCEL #H4000280000015
- ⑮ DIANA ZEHLER
O.R. 8250, PG. 536
PARCEL #H3610016000003

THIS PLAT IS BASED UPON DEED RECORDS
AND OTHER SOURCES AND IS NOT THE RESULT
OF A FIELD SURVEY.

OXFORD-COLLEGE CORNER RD.
U.S. ROUTE #27, TODD RD. AND RINGWOOD RD.
PART OF ORIGINAL LOTS #5 AND #6
SECTION 16, TOWN 5, RANGE 1
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO
ANNEXATION PLAT

**bayer
becker**
318 S. College Avenue
Oxford, OH 45056 - 513.523.4270

Drawing:
12D048-008 AX
Scale:
1" = 200'
Drawn By:
DDS
Checked By:
BRJ
Issue Date:
12-02-13
SHEET 2

List of Parcels Across the Road from Annexation Territory

Square D Co.

Mailing Address:

1415 S Roselle Rd
Palatine, IL 60067 7337

Parcel #H4100028000013

Terry Dudley, Etal

Mailing Address:

6744 Contreras Rd
Oxford, OH 45056

Parcel #H4000028000005

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

City Council Meeting of: April 15, 2014

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department

Originating Department

Doug Elliott, City Manager

Prepared By

April 7, 2014

Date Prepared

Agenda Title: Authorization to Sell Surplus Real Property

Recommendation: Approve

Discussion:

As a result of litigation to acquire the necessary right-of-way for construction of improvements to US27 South (aka Millville-Oxford Road), the City took possession of Butler County parcel No. H4100110000010 from Ms. Edwina Green. This parcel is adjacent to US27 on the east side of the roadway, just south of the Collins Run bridge, and contains approximately 425' of frontage and 1.668 acres.

This parcel is surrounded by lands owned by the State of Ohio for use by Miami University (Miami). Miami has expressed a desire to purchase this parcel as it is at the main entrance to the campus area. Once improvements are completed to US27, this parcel will not serve any meaningful purpose to the City, therefore, I recommend the City Council authorize the City Manager to take all actions necessary to finalize the sale of this parcel to Miami University.

Approved By:

Department Head:

City Manager:

Initial

Date

DRE \ *4-11-14*

ORDINANCE NO.

ORDINANCE DECLARING PARCEL NUMBER H4100110000010 LOCATED ALONG MILLVILLE-OXFORD ROAD IN OXFORD TO BE SURPLUS PROPERTY AND NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIAMI UNIVERSITY FOR THE SALE OF THE PROPERTY.

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

SECTION 1: The City Manager hereby recommends Parcel Number H4100110000010 located along Millville-Oxford Road in Oxford be declared surplus land.

SECTION 2: The City Manager further recommends Parcel Number H4100110000010 be sold to Miami University for \$60,000.00.

SECTION 3: Council hereby finds Parcel Number H4100110000010, being particularly described as set forth in Exhibit "A" attached hereto and incorporated by reference herein, is no longer needed for municipal purposes and said property is hereby declared to be surplus and authorizes the property be sold for \$60,000.00 to Miami University.

SECTION 4: The City Manager is hereby authorized to sell Parcel Number H4100110000010 to Miami University and to enter into an Agreement for the sale of the property, the terms of which, as to material matters, are the same as the terms contained in this ordinance and to take all actions required to complete the sale.

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in that formal action were in meetings open to the public, to the extent required by the Charter, by the ordinances of this city, and by any applicable state law.

SECTION 6. This Ordinance 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'

