



Agenda

Oxford City Council

Court House

TUESDAY, MAY 7, 2013

EXECUTIVE SESSION

7:15 P.M.

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; Kevin McKeehan; Bob Blackburn; Kate Rousmaniere; John Harman; Steve Snyder

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 - 'Miami Little League Day'



Proclamation

- C. Notice to Legislative Authority - New permit for Fuji House Express LLC DBA Fuji House Express 5 W. High Street Oxford, Ohio 45056.



Staff Report/Notice

- D. Appointments to Boards and Commissions.

- E. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the April 16, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the April 9, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the April 17, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. Report regarding the April 18, 2013 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

- E. Report regarding the April 24, 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)



Report

- F. 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

- G. A Resolution authorizing the release of a maintenance bond in the form of a letter of credit in the amount of \$43,159.00 for Campus Commons Subdivision, Phase I. (Mike Dreisbach, Service Director)



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

2. A Resolution authorizing the City Manager to enter into a contract with White Allen Chevrolet for the purchase of three (3) Silverado trucks and specified options at state contract pricing at a cost not to exceed \$73,460.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 923.16, Entitled Private Industrial Waste Treatment Facilities, And Adopting New Oxford Codified Ordinance Section 923.16, Entitled Private Industrial Waste Treatment Facilities. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

2. An Ordinance Repealing Oxford Codified Ordinance Section 931.02, Entitled Container Requirements, And Adopting New Oxford Codified Ordinance Section 931.02, Entitled Container Requirements. (Mike Dreisbach, Service Director)



Staff Report/Ordinance

3. An Ordinance Repealing Oxford Codified Ordinance Section 1145.09 Entitled Period Of Validity, And Adopting New Oxford Codified Ordinance Section 1145.09 Entitled Period Of Validity. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Amending Ordinance No. 3190. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2013. (Joe Newlin,

Finance Director)



Staff Report/Ordinance

- B. Second Reading - None.
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.)
- TUES - May 14 Planning Commission Meeting 7:30 p.m.
- WED - May 15 HAPC Special Meeting 6:00 p.m. OPD Conference Room
- WED - May 15 Board of Zoning Appeals Meeting 7:30 p.m.
- MON - May 20 Housing Advisory Board Meeting 7:00 p.m. Municipal Building
- TUES - May 21 City Council Meeting 7:30 p.m.
- WED - May 22 Civil Service Commission Meeting 7:00 p.m.
- FRI - May 24 Community Improvement Corporation Meeting 12:00 p.m. LCNB
- MON - May 27 Holiday - City Offices Closed
- TUES- June 4 City Council Meeting
- WED - June 5 Historic and Architectural Preservation Commission Meeting 6:00 p.m.
- WED - June 5 Environmental Commission Meeting 7:00 p.m. Municipal Building
- TUES - June 11 Planning Commission Meeting 7:30 p.m.
- MON - June 17 Housing Advisory Commission 7:00 p.m. Municipal Building
- TUES - June 18 City Council Meeting 7:30 p.m.
- WED - June 19 Board of Zoning Appeals Meeting 7:30 p.m.
- WED - June 26 Civil Service Commission Meeting 7:00 p.m.
- FRI - June 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB
8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Economic Development Department

For the May 7, 2013
City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: April 30, 2013

Agenda Title: MOON Co-Op Revolving Loan Modification

Recommendation: Approval with conditions.

MOON Co-Op is requesting a modification to their existing Revolving Loan Fund (RLF) loan. The purpose of this request is to assist MOON's operational working capital, by reducing the monthly loan repayment obligation for up to 12 months.

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.

On April 19th 2013, MOON Co-op requested the loan extension be extended another year and during this period, the RLF loan payments be suspended.

On April 29th the CIC Board 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 CIC Board does not feel a complete suspension of payments is appropriate.

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 2013 to April 2014.
- * Monthly financial & bank statements shall be provided to the City.
- * MOON Co-op member loans will not be repaid during this period.
- * The City will have an option to return the loan to normal payments should the CIC Board feel MOON Co-op is financially able to do so.

Reviewed By:

Department Head:

City Attorney:

City Manager:

Initial

Date

GA

4-30-13

DAE

5/3/13

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 six (6) years to seven (7) years and to suspend loan payments for a period of twelve (12) months.

SECTION 2: Council finds that the Oxford Community Improvement Corporation met on April 29, 2013 to consider amending the loan agreement between the City of Oxford and Moon Cooperative Services, Inc. to extend the promissory note from six (6) years to seven (7) years and to suspend loan payments for a period of twelve (12) months.

SECTION 3: The Oxford Community Improvement Corporation, after due deliberation, did recommend the loan be amended to extend the promissory note from six (6) years to seven (7) 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. The CIC Board and the City of Oxford shall have the option to request resumption of the principal portion of the promissory note at any time within the 12 month period provided the monthly financial statements demonstrate the resumption is financially viable.

SECTION 4: Council hereby accepts and approves the recommendation of the Oxford Community Improvement Corporation 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 six (6) years to seven (7) years and to allow interest only payments for an additional period of twelve (12) months with 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. The CIC Board and the City of Oxford shall have the option to request resumption of the principal portion of the promissory note at any time within the 12 month period provided the monthly financial statements demonstrate the resumption is financially viable.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

1 of 3

Report to the City Manager

City Council Meeting of: May 7, 2013

Account Code #: 140.122.50706

Budgeted Amount: \$28,000.00

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

April 27, 2013

Date Prepared

Agenda Title: Purchase of Replacement Truck for Streets & Maintenance Division # 99-88

Recommendation: Approve

Discussion:

The 2013 capital equipment budget includes \$28,000 for the purchase of a replacement truck for use by the Streets & Maintenance Division of the Service Department. The current vehicle, #88, is a 1999 model that is 14 years old and in poor condition. This vehicle is used extensively on a daily basis for division services including grounds maintenance and irrigation services. Upon delivery, the vehicle will be upfitted by another vendor with a snow plow and lift system.

The State of Ohio DAS contract for the purchase of trucks and vans (Index GDC093; Item # 27BT) includes a 2013 Chevrolet Silverado 3500 four wheel drive truck and associated equipment. The unit price for this vehicle sold through White Allen Chevrolet is \$23,895.00. Staff is also requesting the following optional equipment:

Delivery to Oxford	\$ 45.00
Additional set of keys	50.00
All terrain tires	145.00
Backing alarm	90.00
Step rails	240.00
Snow plow preparation package	245.00
Bed liner	395.00
Rustproofing and 4:10 gear ration trans.	370.00
DEDUCT – Single Rear Wheel rather than dual	(710.00)
DEDUCT – Power windows / locks	(395.00)

Total with all optional equipment and deductions \$24,370.00

This Resolution will authorize the City Manager to enter into an agreement with White Allen Chevrolet for the purchase of a 2013 Silverado truck and specified options at a cost not to exceed **\$24,370.00**. Staff also recommends Council authorize the sale of a 1999 Dodge 1500 four wheel drive pickup truck by public auction at the earliest convenience of the City. Public auction may include the use of an Internet government auction site such as GovDeals if approved by the City Manager.

Approved By:

Department Head: MBD Initial MBD Date 4/30/13

City Manager: DRE Initial DRE Date 5/3/13

ITEM – 27BT – PICKUP – Regular Cab, 4WD, DRW, 12,800 lb. – Flex Fuel

DELIVERY: 90 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Flint, MI

Silverado

CONTRACTOR: White Allen MFG: Chevrolet MODEL: 3500 MODEL NUMBER: CK30903

Item ID No.: 24071

UNIT PRICE: \$23,895.00

List any exceptions to the specifications: NONE

ITEM ID NO.		UNIT COST
24039	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.35
24040	Minimum Delivery Charge	\$ 45.00

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
24041	-	30 Day Tag	\$ 18.50
23996	-	Parts Manual (Electronic)	\$ 219.00
24000	-	Service Manual (Paper)	\$ 219.00
24042	-	Additional Set of Keys	\$ 50.00
Specify on PO	-	Cloth Seat Covering	\$ 0.00
24007	-	Bed Liner	\$ 145.00
Specify on PO	-	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 0.00
24043	-	All-Terrain Tires	\$ 145.00
Specify on PO	-	Trailer Tow Mirrors	\$ 0.00
24019	-	Backup Alarm	\$ 90.00
Specify on PO	-	Seat Belt Extender (1 Unit)	\$ 0.00
24021	-	Step Rails / Running Boards	\$ 240.00
24022	-	Manufacturer Snow Plow Prep Package (Does not include Plow)	\$ 245.00
23876	-	Snow Plow (Order w/ Snow Plow Prep Package)	\$ 2,950.00
Specify on PO	-	Single Rear Wheel (SRW)	\$ -710.00
24024	-	Spray-In Bed Liner	\$ 395.00

List standard paint colors: Gray, Black, Blue, White, Ruby, Red, Silver, Mocha

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, David Colopy, 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: 3% above manufacturer invoice.

Pickup – 12,800 lbs., DRW, 4WD, Reg Cab, Long Bed – FFV
Item Number 27BT

Standard Specification Items	Minimum Requirements	Standard Specification Items	Minimum Requirements
FY2013			
Powertrain:		Exterior:	
Engine Type (Cylinder/Liter)	8 / 6.0	Body Side Moldings	Mfg. Std.
Horsepower (Net HP)	316	Rear Door Type	Locking Tailgate
Automatic Transmission	Automatic	Bed Length (ft)	8
Locking Differential	Locking Differential	Rear Step Bumper	Mfg Std
Drivetrain	4WD		
Chassis:		Seating:	
Alternative Fuel (Type)	E-85	Seating Capacity	3
Fuel Capacity (gals.)	35	Front Seat Type	Split Bench
Tires	All Season	Seat Covering	Vinyl
Spare Tire	Full Size	Floor Covering	Vinyl
Cooling System	h.d.a.		
Safety:		Accessories:	
Restraint System (Driver and Passenger)	Required	Air Conditioning	Required
Supplemental Restraint System (Driver and Passenger)	Required	Tilt Wheel & Cruise Control	Required
Power Antilock Brakes (Front and Rear)	Required	Power Windows & Door Locks	Required
Dimensions:		Keyed Door Locks	Required
Wheelbase (in)	133	2 Sets of Keys with FOBS	Required
Head Room (Front)	40	Intermittent Windshield Wipers	Required
Leg Room (Front)	41	Radio	Std. AM/FM
Shoulder Room (Front)	65	Exterior Rear View Mirror	Dual
Hip Room (Front)	60	Cargo Dome Lighting	Required
Cargo Volume (cu.ft.)	75	Skid Plate(s)	Required
Payload (lbs.)	6,300		
Gross Vehicle Weight Rating(GVWR)	12,800		
Electrical:		Warranty:	
Alternator (amps)	Mfg. Std.	Mfg. Standard Warranty (Min.)	3yr / 36,000 Mile
Battery (CCA)	Mfg. Std.		

CITY OF OXFORD

STAFF SUMMARY REPORT

2 of 3

Report to the City Manager

City Council Meeting of: May 7, 2013

Account Code #: 140.122.50707

Budgeted Amount: \$34,500.00

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

April 27, 2013

Date Prepared

Agenda Title: Purchase of Replacement Truck for Streets & Maintenance Division # 98-52

Recommendation: Approve

Discussion:

The 2013 capital equipment budget includes \$34,500 for the purchase of a replacement truck for use by the Streets & Maintenance Division of the Service Department. The current vehicle, #52, is a 1998 model that is 15 years old and in poor condition. This vehicle will be used extensively on a daily basis for division services including street and traffic maintenance operations. The vehicle will also be upfitted by another vendor upon delivery with a utility service body and liftgate.

The State of Ohio DAS contract for the purchase of trucks and vans (Index GDC093; Item # 32AT) includes a 2013 Chevrolet Silverado 3500 four wheel drive cab & chassis and associated equipment. The unit price for this vehicle sold through White Allen Chevrolet is \$21,995.00. Staff is also requesting the following optional equipment:

Delivery to Oxford	\$ 45.00
Additional set of keys	75.00
Tow hitch and brake controller	630.00
All terrain tires	130.00
Rustproofing and 4:10 gear ration trans.	370.00
DEDUCT – Power windows / locks	(395.00)

Total with all optional equipment and deductions \$22,850.00

This Resolution will authorize the City Manager to enter into an agreement with White Allen Chevrolet for the purchase of a 2013 Silverado truck and specified options at a cost not to exceed **\$22,850.00**. Staff also recommends Council authorize the sale of a 1998 Chevrolet K2500 four wheel drive pickup truck by public auction at the earliest convenience of the City. Public auction may include the use of an Internet government auction site such as GovDeals if approved by the City Manager.

Approved By:

Department Head:

Initial

Date

MED

4/30/13

City Manager:

DRE

5/3/13

ITEM – 32AT – CAB & CHASSIS – Regular Cab, 2WD, DRW, 12,800 lb. – Gasoline

DELIVERY: 120 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Flint, MI

CONTRACTOR: White Allen MFG: Chevrolet MODEL: 3500 MODEL NUMBER: CK30953

Item ID No.: 24056 UNIT PRICE: \$21,995.00

List any exceptions to the specifications: NONE

<u>ITEM ID NO.</u>		<u>UNIT COST</u>
24057	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.40
24040	Minimum Delivery Charge	\$ 45.00

<u>ITEM ID NO.</u>	<u>CONTRACTOR'S ORDER NO.</u>	<u>OPTIONS</u>	<u>UNIT COST</u>
24041	-	30 Day Tag	\$ 18.50
23996	-	Parts Manual (Electronic)	\$ 219.00
24000	-	Service Manual (Paper)	\$ 219.00
24004	-	Additional Set of Keys	\$ 75.00
Specify on PO	-	Cloth Seat Covering	\$ 0.00
24058	-	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 630.00
24059	-	All-Terrain Tires	\$ 130.00
Specify on PO	-	Trailer Tow Mirrors	\$ 0.00
24019	-	Backup Alarm	\$ 90.00
Specify on PO	-	Seat Belt Extender (1 Unit)	\$ 0.00
24021	-	Step Rails / Running Boards	\$ 240.00
24060	-	2 Yard Dump Body	\$ 6,925.00
24061	-	84" CA in lieu of 60" CA (NA w/ 2 Yard Dump Body)	\$ 175.00

List standard paint colors: Gray, Black, Blue, White, Ruby, Red, Silver, Mocha

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, David Colopy, 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: 3% above manufacturer invoice.

Cab & Chassis – 12,800 lbs., DRW, 2WD, Reg Cab – Gasoline
Item Number 32AT

Standard Specification Items	Minimum Requirements	Standard Specification Items	Minimum Requirements
FY2013			
Powertrain:		Exterior:	
Engine Type (Cylinder/Liter)	8 / 6.0	Body Side Moldings	Mfg. Std.
Horsepower (Net HP)	322		
Automatic Transmission	Automatic		
Locking Differential	Locking Differential		
Drivetrain	2WD		
Chassis:		Seating:	
Alternative Fuel (Type)	NA	Seating Capacity	3
Fuel Capacity (single or dual) (gals.)	40	Front Seat Type	Split Bench
Tires	All Season	Seat Covering	Vinyl
Spare Tire	Full Size	Floor Covering	Vinyl
Cooling System	h.d.a.		
Safety:		Accessories:	
Restraint System (Driver and Passenger)	Required	Air Conditioning	Required
Supplemental Restraint System (Driver and Passenger)	Required	Tilt Wheel & Cruise Control	Required
Power Antilock Brakes (Front and Rear)	Required	Power Windows & Door Locks	Required
Dimensions:		Keyed Door Locks	Required
Wheelbase (in)	137	2 Sets of Keys with FOBS	Required
Head Room (Front)	40	Intermittent Windshield Wipers	Required
Leg Room (Front)	41	Radio	Std. AM/FM
Shoulder Room (Front)	65	Exterior Rear View Mirror	Dual
Hip Room (Front)	60	Cargo Dome Lighting	Required
Payload (lbs.)	6,520		
Gross Vehicle Weight Rating(GVWR)	12,800		
Electrical:		Warranty:	
Alternator (amps)	Mfg. Std.	Mfg. Standard Warranty (Min.)	3yr / 36,000 Mile
Battery (CCA)	Mfg. Std.		

CITY OF OXFORD

STAFF SUMMARY REPORT

3 of 3

Report to the City Manager

City Council Meeting of: May 7, 2013

Account Code #: 330.831.50902

Budgeted Amount: \$47,400.00

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

April 29, 2013
Date Prepared

Agenda Title: Purchase of Replacement Truck for Waste Water Collection Division - #40

Recommendation: Approve

Discussion:

The 2013 Capital Equipment Budget includes \$47,400 for the purchase of a replacement one-ton dump truck for use by the Waste Water Collection Division of the Service Department. The current vehicle, # 40, is a 2001 model that has reached its planned replacement date. This vehicle is used on a daily basis by the utility staff to maintain the sanitary sewer collection system. When selecting a replacement vehicle, staff not only considered price, but also strived to obtain the most versatile vehicle that could perform numerous operations for the Department.

The State of Ohio contract for the purchase of trucks and vans (Index No. GDC-093) includes item #33AT, a 2013 Silverado 3500 regular cab four wheel drive cab and chassis. The unit price for this vehicle, sold through White Allen Chevrolet, is \$24,895. Staff is requesting the following additional equipment for the vehicle:

Base vehicle price:	\$24,895.00
Delivery	45.00
Additional keys	75.00
Tow Hitch; brake controller	635.00
All terrain tires / step rails	370.00
Snow plow prep package	245.00
GM rust proofing; 4:10 geared transmission	370.00
DEDUCT – power group	(395.00)
Total price under State contract with White Allen Chevrolet	\$26,240.00

Once the City accepts the cab and chassis from the manufacturer, the vehicle will be upfitted with additional equipment under a separate purchase order. This equipment will include the bed and hoist for the truck, hydraulics, and plow lift.

This Resolution will authorize the City Manager to enter into an agreement with White Allen Chevrolet for the purchase of a 2013 Silverado 3500 truck and specified options at a cost not to exceed **\$26,240.00**. Staff further recommends Council authorize the sale of a 2001 Dodge 3500 by public auction at the earliest convenience of the City. Public auction may include the use of an Internet government auction site such as GovDeals if approved by the City Manager.

Approved By:

Department Head:

Initial Date
MBD \ 4/30/13

City Manager:

MBD \ 5/3/13

ITEM – 33AT – CAB & CHASSIS – Regular Cab, 4WD, DRW, 12,800 lb. – Gasoline

DELIVERY: 120 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Flint, MI

CONTRACTOR: White Allen MFG: Chevrolet MODEL: 3500 MODEL NUMBER: CK31003

Item ID No.: 23862 UNIT PRICE: \$24,895.00

List any exceptions to the specifications: NONE

ITEM ID NO.	UNIT COST
23863	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor: \$.40
23864	Minimum Delivery Charge \$ 45.00

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
23865	-	30 Day Tag	\$ 18.50
23866	-	Parts Manual (Electronic)	\$ 219.00
23867	-	Service Manual (Paper)	\$ 219.00
23868	-	Additional Set of Keys	\$ 75.00
Specify on PO	-	Cloth Seat Covering	\$ 0.00
23869	-	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 635.00
23870	-	All-Terrain Tires	\$ 130.00
Specify on PO	-	Trailer Tow Mirrors	\$ 0.00
23871	-	Backup Alarm	\$ 90.00
Specify on PO	-	Seat Belt Extender (1 Unit)	\$ 0.00
23872	-	Step Rails / Running Boards	\$ 240.00
23873	-	2 Yard Dump Body	\$ 6,925.00
23874	-	84" CA in lieu of 60" CA (NA w/ 2 Yard Dump Body)	\$ 160.00
23875	-	Manufacturer Snow Plow Prep Package (Does not include Plow)	\$ 245.00
23876	-	Snow Plow (order w/ Snow Plow Prep Package)	\$ 2,950.00

List standard paint colors: Gray, Black, Blue, White, Ruby, Red, Silver, Mocha

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, David Colopy, 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: 3% above manufacturer invoice.

Cab & Chassis – 12,800 lbs., DRW, 4WD, Reg Cab – Gasoline
Item Number 33AT

Standard Specification Items	Minimum Requirements	Standard Specification Items	Minimum Requirements
FY2013			
Powertrain:		Exterior:	
Engine Type (Cylinder/Liter)	8 / 6.0	Body Side Moldings	Mfg. Std.
Horsepower (Net HP)	322		
Automatic Transmission	Automatic		
Locking Differential	Locking Differential		
Drivetrain	4WD		
Chassis:		Seating:	
Alternative Fuel (Type)	NA	Seating Capacity	3
Fuel Capacity (single or dual) (gals.)	40	Front Seat Type	Split Bench
Tires	All Season	Seat Covering	Vinyl
Spare Tire	Full Size	Floor Covering	Vinyl
Cooling System	h.d.a.		
Safety:		Accessories:	
Restraint System (Driver and Passenger)	Required	Air Conditioning	Required
Supplemental Restraint System (Driver and Passenger)	Required	Tilt Wheel & Cruise Control	Required
Power Antilock Brakes (Front and Rear)	Required	Power Windows & Door Locks	Required
Dimensions:		Keyed Door Locks	Required
Wheelbase (in)	137	2 Sets of Keys with FOBS	Required
Head Room (Front)	40	Intermittent Windshield Wipers	Required
Leg Room (Front)	41	Radio	Std. AM/FM
Shoulder Room (Front)	65	Exterior Rear View Mirror	Dual
Hip Room (Front)	60	Cargo Dome Lighting	Required
Payload (lbs.)	6,250	Skid Plate(s)	Required
Gross Vehicle Weight Rating(GVWR)	12,800		
Electrical:		Warranty:	
Alternator (amps)	Mfg. Std.	Mfg. Standard Warranty (Min.)	3yr / 36,000 Mile
Battery (CCA)	Mfg. Std.		

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WHITE ALLEN CHEVROLET FOR THE PURCHASE OF THREE (3) 2013 SILVERADO TRUCKS AND SPECIFIED OPTIONS AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$73,460.00.

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 three (3) 2013 Silverado trucks and specified options at State Contract pricing at a cost not to exceed \$73,460.00.

SECTION 2: The City Manager is hereby authorized to enter into a contract with White Allen Chevrolet for the purchase of three (3) 2013 Silverado trucks and specified options at State Contract pricing at a cost not to exceed \$73,460.00.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: May 7, 2013

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Victor Popescu, City Engineer

Prepared By

April 19, 2013

Date Prepared

Agenda Title: Release of a Performance Bond in the amount of \$43, 159.00 for the Campus Commons, Phase I Development.

Recommendation: Approval

Discussion:

The Engineering Division has inspected the Campus Commons, Phase I Development and determined that the subject Development was constructed in accordance with the plans and specifications.

The City of Oxford holds a Maintenance Bond in the amount of \$43,159.00. The bond consists of a "letter of credit."

The Developer has requested that the above bond be released.

Since the Development was inspected and accepted by the Engineering Division, and the one (1) year maintenance period has expired, Staff recommends City Council approve the release of the Maintenance Bond.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial

Date

[Signature] 4/19/13

DAK 5/3/13

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE BOND IN THE FORM OF A LETTER OF CREDIT IN THE AMOUNT OF \$43,159.00 FOR CAMPUS COMMONS SUBDIVISION PHASE I.

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

SECTION 1: The Developer, having met the terms and conditions for which a letter of credit maintenance bond in the amount of \$43,159.00 was given, is hereby released by Council pursuant to Oxford Codified Ordinance §1101.06.

SECTION 2: The Clerk of Council and City Manager are hereby authorized to execute the necessary paperwork, releasing the letter of credit maintenance bond.

SECTION 3: This release is hereby given upon report of the City Engineer that the work secured by the maintenance bond has been satisfactorily completed.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: May 6, 2013

Sam Perry
Prepared By

Account Code No. #:

April 29, 2013
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – April 17, 2013

Adjudication Hearing

BZA-04-2013 215 N. University Variance to Section 1143.05 R2MS Single- and Two- Family Mile Square Residential District, specifically 1143.05(c)(1)(B) minimum lot width for a two-family dwelling, **Scott Webb, Applicant, Agent**

The Applicant is proposing to demolish an existing two-family dwelling and build a new two-family dwelling. The lot width is approximately 59.64 feet. The required minimum lot width for a two-family dwelling is 75 feet. Therefore, the lot width is approximately 15 feet too narrow for a two-family dwelling.

The applicant submitted a site plan which demonstrated compliance with minimum yard setback requirements and maximum building and lot coverage requirements.

Noting that the property could be remodeled and not require a variance, or a single family dwelling could be built since the minimum lot width for a single family is 50 feet, the Applicant wishes to build a two family residence to house eight, which is the current and approved occupancy. Staff also noted that the lot is one of the larger in the R2MS District. The new structure will reflect the character of the Mile Square.

The BZA concluded that the lot size cannot be changed, the new structure would be an improvement from the current structure, the occupancy would not be changing and the lot is deep. After staff presentation, public hearing and board deliberation, the BZA approved the variance requests with a vote of 4-1-0.

Old Business:

It was announced that the former Dairy Queen, located at 5228 Hester Road, would be demolished.

Next Meeting:

The next regularly scheduled Board of Zoning Appeals meeting will take place May 15, 2013.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial	Date
<i>JPC</i>	4/29/13
<i>JRE</i>	5/3/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: 5/7/13

Gail S. Brahier

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

4/30/13

Date Prepared

Agenda Title: Recreation Advisory Board Meeting, 4/18/13

Recommendation: N/A

Discussion:

Members present:

Ken Bogard, Council Rep, Brandy Darby, Chair, Shaunna Tafelski,
Jason Grunkemeyer

Staff: Deanna Barbour and Gail Brahier

Ms. Brahier took the Recreation Advisory Board on a park tour to discuss Department events, soccer showcase, July 3rd, and future park developments.

Mary Glasmeier's term has ended.

Jason Grunkemeyer has accepted a new position out of state and will be resigning. The TSD will appoint someone to fill his membership on the Board.

July 18, 2013 4 pm - Location TBA

Approved By:

Initial Date

Department Head:

GB/4/30/13

City Attorney:

City Manager:

1
5/3/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: May 7, 2013

Kim Newton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

April 25, 2013

Date Prepared

Agenda Title: Report regarding the April 24, 2013 Civil Service Commission Meeting.

Recommendation:

Discussion: The Civil Service Commission held a regular meeting on Wednesday, April 24, 2013. Those members present were: Phil Russo, Chair; Susan Lipnickey, Vice Chair; Karen Martino; Mike Pavloff and James Burchyett.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary; Gail Brahier, Parks & Recreation Director and Tom Horvath, Police Lieutenant, were in attendance for the City.

The Commission approved the Police Lieutenant Eligibility List and the Sports Coordinator Eligibility List.

The next regular meeting is scheduled for May 22, 2013.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] 5/1/13

[Signature] 5/3/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Service Department
Originating Department

Council Meeting Of: May 7, 2013

Michael B. Dreisbach

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

May 3, 2013
Date Prepared

Agenda Title: 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 or internet auction.

Recommendation: Approve the Resolution for future auction.

Discussion:

Staff recommends that Council authorize a public or internet auction to dispose of obsolete equipment at the City's earliest convenience. The items slated for auction are listed on Exhibit 'A'.

Approved By:

Department Head:
City Manager:

Initial Date

MB \ 5/3/13
MB 5/3/13

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 items 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 items 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: RICHARD KEEBLER

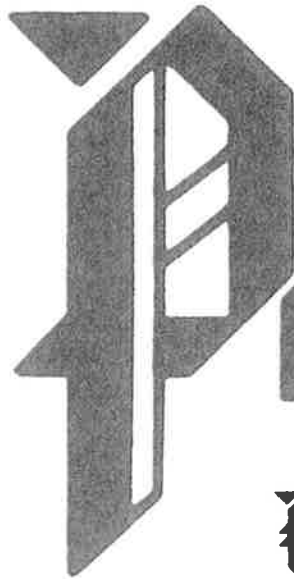
PREPARED BY: LAW (STAFF)

EXHIBIT 'A'

Vehicle # 88	1999 Dodge 1500 four wheel drive pickup truck
Vehicle # 52	1998 Chevrolet K2500 four wheel drive pickup truck
Vehicle # 46	1998 Chevrolet K2500 four wheel drive pickup truck
Vehicle # 40	2001 Dodge 3500 dump truck
Vehicle # 80	1996 Dodge Ram 15 passenger van
Vehicle # 04	1996 Ford Explorer
Vehicle # 61	1997 Ford F350 1 ton dump truck

Miscellaneous

1993 ODB LCT600 Leaf Vacuum
1980 Joy Air Compressor



Office of the Mayor

Proclamation

Whereas:

the National Association of Letter Carriers have designated the day of May 11, 2013 as the twenty-first annual "Stamp Out Hunger Food Drive" day; and

WHEREAS, the NALC Food Drive collected a record of 70.5 million pounds of food nationally and 60,498 pounds of food in Butler County in 2012; 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

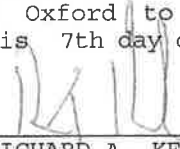
WHEREAS, the AFL-CIO, Shared Harvest Foodbank, United Way, Campbell's, Feeding America and countless community volunteers will lend assistance to this charitable endeavor with the United States Postal Service encouraging and supporting this one day drive.

NOW, THEREFORE, I, Richard A. Keebler, 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 11, 2013 as:

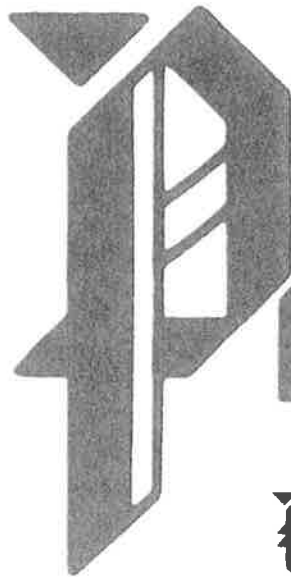
**"THE NATIONAL ASSOCIATION OF LETTER CARRIERS
FOOD DRIVE DAY"**

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 11, 2013 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 7th day of May, 2013.


RICHARD A. KEEBLER, MAYOR





Office of the Mayor

Proclamation

Whereas:

Miami Little League was founded in the year 2000, and operates in partnership with Oxford Parks and Recreation and the City of Oxford, Talawanda School District, and TRI Board; and

WHEREAS, Miami Little League is a volunteer organization which serves ages 4-18 in Co-ed T-ball, Baseball and Softball; with 44 teams and over 500 players in 2013; and

WHEREAS, Miami Little League has won numerous Championships including Big League 2011 State Champions; District 9 Champions 5 years in a row for Juniors and Seniors; and Big League 4 years; and

WHEREAS, in 2012 Miami Little League renovated the ball field on the TRI grounds into a premier Majors field known as the 'Les Agee Field, Home of Miami Little League'. The field was possible through donations and sponsorships from local businesses including: Miami Little League, TRI Board, Jeff Michael Excavating, LaRosa's, Ryan Weekley Construction, Oasis Lawn Sprinklers, Green Prairie Sod Farms, Bob Hosler Fencing and numerous field sponsors.

NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim Saturday, May 18, 2013 as:

"MIAMI LITTLE LEAGUE DAY"

where celebration and game play will occur throughout the day at the TRI facilities and the Oxford Community Park.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 7th day of May, 2013.

RICHARD A. KEEBLER, MAYOR



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: May 7, 2013

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

May 2, 2013

Date Prepared

Agenda Title: Notice to Legislative Authority - New permit for Fuji House Express LLC DBA Fuji House Express 5 W. High Street Oxford, Ohio 45056.

Recommendation:

Discussion:

This is a new permit as indicated above. The permit is for:

D1 - Beer only for on premises consumption and in sealed containers for carry out.

This permit will go through the normal process with all required inspections being conducted by the Ohio Liquor Commission.

Approved By:

Initial Date

Department Head:

City Manager:

DRE \ 5/3/13

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2959330		NEW	FUJI HOUSE EXPRESS LLC DBA FUJI HOUSE EXPRESS 5 W HIGH ST OXFORD OH 45056	RECEIVED 26 City of Oxford
PERMIT NUMBER		TYPE		
ISSUE DATE				
04 23 2013				
FILING DATE				
D1				
PERMIT CLASSES				
09	088	A	A04806	
TAX DISTRICT		RECEIPT NO.		
FROM 04/25/2013				

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 04/25/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/28/2013

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 2959330**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF OXFORD CITY COUNCIL
101 E HIGH ST
OXFORD OHIO 45056

FOR OFFICE USE ONLY

NEW

TRANSFER

PERMIT # 2959330

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL

6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005

Telephone: (614) 644-2431 - <http://www.com.ohio.gov/liqr>

LIMITED LIABILITY COMPANY DISCLOSURE FORM

(This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company Fuji House Express LLC	DBA Name Fuji House Express	
Permit Premises Address 5 West High Street	City, State Oxford, OH	Zip Code 45056
Township, if in Unincorporated Area	Tax Identification No (TIN) 45-5617338	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO NONE		
2) President Wei Dong Zheng		9/1/1967
3) Vice-President NONE		
4) Secretary NONE		
5) Treasurer NONE		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name Wei Dong Zheng	Social Security No (if individual)	☒ Managing Member ☐ 5% or greater voting interest ☐ 5% or greater membership interest
Residence Address 6286 Thornberry Ct.	Tax Identification No (if applicable)	
City and State Mason, OH	Zip Code 45040	
Telephone No 513-693-9487	Date of Birth 9/1/1967	
2) Name	Social Security No (if individual)	☐ Managing Member ☐ 5% or greater voting interest ☐ 5% or greater membership interest
Residence Address	Tax Identification No (if applicable)	
City and State	Zip Code	
Telephone No	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Butler COUNTY ss,I, Wei Dong Zheng being first duly sworn, according to law, deposes and says that he/she is (Title) President

of the Fuji House Express LLC a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) [Signature] (Print Name and Title) Owner

Sworn to and subscribed in my presence this



Paulette Helm
Notary Public State of Ohio
My Commission Expires 11-14-2015

2012
11-14-2015
(Notary Public)

(Notary Expiration)

09 BUTLER	088 OXFORD			POPULATION	21,444
CLASS	RATIO	PERMIT QUOTA	PERMITS ISSUED	PERMITS AVAILABLE	APPLICATIONS ON FILE
C1	1,000	22	21	1	0
C2	1,000	22	22	0	0
D1	2,000	11	10	1	1
D2	2,000	11	12	1-	4
D3	2,000	11	11	0	0
D3A	0	0	7	7	1
D4	2,000	11	1	10	0
D5	2,000	11	12	1-	3

Ohio Division of Liquor Control

04/26/13

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, April 16, 2013 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kate Rousmaniere and Steve Snyder. Kevin McKeehan was excused.

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 Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Ms. Rousmaniere seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PRESENTATION

BUTLER COUNTY

REGIONAL TRANSIT AUTHORITY

Ms. Carla Lakatos, Executive Director, advised she and Mr. Matthew Dutkevicz, Assistant General Manager, would provide an update on the Butler County Regional Transit Authority (BCRTA), answer any questions and ask for Council's political and financial support. Ms. Lakatos noted in 2008 BCRTA served 12,000 trips and in 2013 they anticipated serving over 250,000 trips. Ms. Lakatos advised the cost to provide transportation services was \$57.00 per hour for each bus on the street and noted some of their funding sources included contracts with Butler County and SORTA, the Hamilton County system. Ms. Lakatos advised BCRTA also aggressively sought grants and had been successful through the years. Ms. Lakatos noted in 2009 BCRTA partnered with the City of Middletown and most recently BCRTA entered into a 1.6 million dollar annual contract with Miami University to run their campus service and well as service for the general public in Oxford. Ms. Lakatos recognized Lt. Spilman from Miami University who was in attendance and noted he did a lot of work on the contract. Ms. Lakatos advised the Middletown-Hamilton route was initiated in 2009, ran 3 times a day, and provided 900 trips per month at a fare of \$2.00 each way for the general public. Ms. Lakatos noted 89% of the riders were from the general public and the remainder of the riders were Miami students or faculty. Ms. Lakatos advised the Middletown-Oxford route was initiated in 2010 and provided 950 trips a month with ¼ of the riders from the general public and the remaining riders were Miami students or faculty. Ms. Lakatos noted the Oxford-Hamilton route was initiated in August of 2012 and it did not operate when Miami was not in session. Ms. Lakatos advised that route provided 4300 trips a month and under 10% of the riders were from the general public.

Mr. Matthew Dutkevicz, referred to the PowerPoint slide being shown and discussed the proposed new service for Oxford. Mr. Dutkevicz noted the routes were developed through public participation with the university and community members. Mr. Dutkevicz advised the City had been involved in the process while Miami's Master Circulation Plan was being developed. Mr. Dutkevicz noted BCRTA was still accepting comments from the public regarding the proposed routes. Mr. Dutkevicz advised a City Loop was proposed for this fall which included stops along College Corner Pike and at McCullough-Hyde Memorial Hospital. Mr. Dutkevicz noted the vehicles would be handicapped accessible, equipped with bicycle racks, and would have on board surveillance systems. Mr. Dutkevicz advised the proposed route would only be available when Miami was in session and the fare for the public would be \$2.00 each way.

Ms. Carla Lakatos, noted BCRTA was focused on connecting the major urban areas in Butler County conveniently and affordably and have those connections feed into the Cincinnati system. Ms. Lakatos referred to the Oxford-Hamilton route and noted BCRTA would like to offer that service throughout the entire year and the estimated was \$90,000 for the weeks that Miami was not in session. Ms. Lakatos advised BCRTA had identified 50% of that funding and was seeking financial support to allow for expanded routes in the Oxford community.

Mr. Blackburn inquired how large the busses would be. Ms. Lakatos advised initially there would be 4 small simulated street cars and some 35 foot buses and BCRTA would evaluate the demand once the route was up and running. Ms. Lakatos noted BCRTA was working with the university and others to procure a new fleet when funding was available in 2015.

Mr. Blackburn inquired if the current Miami Metro employees would have an opportunity to work for BCRTA and Ms. Lakatos advised yes.

Mr. Bogard commended Ms. Lakatos and the BCRTA staff for all of their efforts.

Ms. Rousmaniere noted she attended the community forum and community members were very interested in a route with a stop at the Senior Center and at the Community Park. Ms. Rousmaniere inquired if City funding would accomplish that. Mr. Dutkevicz noted BCRTA was open to discussion regarding adjusting the route.

Mayor Keebler thanked Ms. Lakatos and Mr. Dutkevicz for providing the presentation this evening and noted the request for financial assistance would have to go through the City Manager and the budgeting process.

PROCLAMATION **'EARTH DAY'**

Mayor Keebler read the Proclamation and presented it to Ms. Rousmaniere, Council representative on the City of Oxford's Environmental Commission.

PROCLAMATION **'ARBOR DAY'**

Mayor Keebler read the Proclamation and presented it to Mr. Bogard who would represent the City at the tree planting at the Community Park for the Arbor Day celebration.

PROCLAMATION
‘NATIONAL PRESERVATION DAY’

Mayor Keebler read the Proclamation and presented it to Mr. Mike Smith, Chair of the City’s Historic and Architectural Preservation Commission.

Mr. Mike Smith, advised in observation of National Preservation Month the Historic and Architectural Preservation Commission looked at Oxford’s historic women’s colleges and focused on Ox College and the Western College for Women. Mr. Smith noted there would be a full slate of tours on Saturdays in May and encouraged everyone to follow the Oxford Press for details on the times, locations and destinations.

PUBLIC COMMENTS

Ms. Martha Slager and Ms. Lucille Hautau, from the Oxford Community Arts Center (OCAC) addressed Council on behalf of the Board. Ms. Slager advised she wanted to publically thank the community for its tremendous support of the Oxford Community Arts Center and specifically with regard to the OCAC’s recent annual fund raising event. Ms. Slager noted in Phase II of the OCAC’s restoration project the Board realized that the dormant building had become something very viable to the community.

Ms. Hautau spoke on behalf of the OCAC and noted how much they appreciated the support received not just from City Council but from the entire City of Oxford. Ms. Hautau advised almost every restaurant in Oxford responded to a request for support of the OCAC’s annual gala and provided food for the event. Ms. Hautau noted countless retailers responded with an outpouring of gifts and she was overwhelmed when one business in particular donated a \$500 shopping spree. Ms. Hautau advised the gala raised almost \$58,000 this year due to the generous support from the entire Oxford community.

Ms. Slager thanked the City of Oxford for lending its support which allowed them to secure an Ohio Historic Restoration grant which would be used to restore exterior elements of the building. Ms. Slager advised the Board looked forward to welcoming people to the veranda at the OCAC to revitalize and come inside for appreciation of the arts. Ms. Slager noted the Board also looked forward to attracting visitors to Oxford.

Ms. Hautau noted 10-12 years ago some people thought the arts center building was not worth saving and now it was a presence in Oxford flourishing with activities. Ms. Hautau thanked everyone for helping them preserve the legacy and promote the arts in Oxford.

Mayor Keebler congratulated Ms. Slager and Ms. Hautau for the success of the OCAC and wished them good luck in the future.

CONSENT AGENDA

MINUTES

Minutes of the April 2, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the April 8, 2013 City Council Special Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the March 20, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the April 3, 2013 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the April 3, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Bogard moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **WAIVE FEES FOR** **THE MUSIC FESTIVAL**

A Resolution No. 4742 of Council authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors Bureau for the 2013 annual Summer Music Festival. (Doug Elliott, City Manager)

Mr. Elliott noted this request was for the annual Summer Music Festival and Council had approved the request every year since 2005. Mr. Elliott advised staff recommended that Council once again approved the Resolution to waive the fees for the street closures during the concerts.

Ms. Jessica Greene, Executive Director, Oxford Visitors Bureau, thanked Council for their support of the Oxford Summer Music Festival. Ms. Greene noted the Visitors Bureau was excited to have a concert every week from June 6th to August 29th with the exception of the 4th of July. Ms. Greene noted she felt there would be a nice diverse type of music and the bureau was able to cut costs significantly this year. Ms. Greene advised if Council waived the fees for the street closures they would be able to stay within budget.

All of Council was in favor of the proposed Resolution and Mr. Blackburn noted that Ms. Greene partnered with Hueston Woods this year and they would help support the concerts.

Mr. Harman moved to adopt Resolution No. 4742. Mr. Snyder seconded. The motion passed 6-0-0.

RESOLUTION
ALCOHOL SALES IN
UPTOWN PARK

A Resolution No. 4743 authorizing the City Manager to permit the Miami University Alumni Association to hold an Alumni Weekend 2013 event to include the sale of beer and wine from 6:00 p.m. to 10:00 p.m. on Friday, June 21, 2013 in the Oxford Memorial Park. (Doug Elliott, City Manager)

Mr. Elliott advised the sale of alcohol on City property required the approval of City Council and Council had approved this request for the past two years. Mr. Elliott noted he recommended Council's approval again this year.

Mr. Mark Macechko, Associate Director, Miami University Alumni Association, advised the right-of-way request for this event included a partial closure of High Street and after discussions with Mr. Elliott and Miami staff, they felt this closure was not warranted. Mr. Macechko noted the amended right-of-way request would include the closure of Main Street between Church Street and High Street and the use of both Uptown Parks. Mr. Macechko advised the Alumni Association hoped to build the event and in future years they may request the closure of High Street.

Mr. Bogard noted in previous years the alumni were encouraged to meet at certain restaurants Uptown and inquired if that was the same this year. Mr. Macechko advised the alumni would gather in the Uptown Parks initially and classes in 5 year increments would move into various different establishments.

Ms. Rousmaniere asked Mr. Macechko to describe how the event went last year and the previous year. Mr. Macechko advised the alumni come back for Alumni Weekend to visit Miami, participate in different classes, learn what's happening on campus and connect with friends. Mr. Macechko noted the Alumni Association realized the Uptown area was also part of the alumni's Miami experience and 3 years ago they felt they needed to be where the alumni were. Mr. Macechko advised the Alumni Associations' tents set up on campus for the event were not effective so they decided to bring part of the Alumni Weekend event to the Uptown area. Mr. Macechko noted the event Uptown had been successful and the Alumni Association wanted to expand it and make it a stronger event going forward.

Mayor Keebler noted from personal observation he felt this was a good event, it was good to see people Uptown and it helped the merchants and restaurants.

Mr. Macechko reminded everyone that they did not have to be affiliated with Miami University to participate in the event.

Mr. Elliott noted the area where alcohol was being served had to be roped off and participants had to wear a wristband due to Ohio liquor laws but those not wanting alcoholic beverages could still listen to music and participate in the event.

Mr. Snyder moved to adopt Resolution No. 4743. Mr. Harman seconded. The motion passed 6-0-0.

RESOLUTION
CONTRACT WITH
JACKSON CONSTRUCTION CO.

A Resolution No. 4744 accepting the bid and authorizing the City Manager to enter into a contract with Jackson Construction Co. for the improvement and replacement of defective curb, gutter, and sidewalk at a cost of \$164,522.55 plus a contingency amount of ten percent (10%) of the contract price or \$16,453.00 for a total cost not to exceed \$180,975.55. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 34 of the agenda and noted staff prepared specifications for the work to be performed and advertised for bids. Mr. Dreisbach advised 4 bids were received with the lowest and best bid being submitted by Jackson Construction Co. Mr. Dreisbach noted Jackson Construction Co. had done work for the City in the past and staff was very pleased with their work and recommended they be awarded this contract.

Mr. Bogard inquired when the blacktopping of Chestnut Street would occur and Mr. Dreisbach advised in mid July.

Mr. Bogard moved to adopt Resolution No. 4744. Ms. Rousmaniere seconded. The motion passed 6-0-0.

RESOLUTION
CONTRACT WITH
BARRETT PAVING MATERIALS, INC.

A Resolution No. 4745 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 \$266,737.40 plus a contingency amount of ten percent (10%) of the contract price or \$ 26,674.00 for a total cost not to exceed \$293,411.40. (Mike Dreisbach, Service Director)

Mr. Blackburn recused himself and stepped down from the dais.

Mr. Dreisbach discussed his staff report as presented on pages 36 and 37 of the agenda and advised staff developed specifications for the 2013 paving program and specified alternates to evaluate what could be funded from the available appropriation. Mr. Dreisbach noted 3 bids were received for this project with the lowest bid being submitted by Barrett Paving Materials, Inc. who had done fine work for the City in the past. Mr. Dreisbach advised the project focused on the south side of the City including Kehr Road and parts of South Locust Street in preparation of the construction on US27 S next year when Kehr Road would be a favored alternate route to get around the construction. Mr. Dreisbach noted part of Church Street from Locust to College would also be repaved as the City was eligible for some state reimbursement since it was part of US 27.

Ms. Rousmaniere noted Kehr Road was a tough road and inquired if it could be widened, straightened, or flattened to make it safer in addition to the paving. Mr. Dreisbach advised the budget was not there for major improvements and noted there was money for failed base repair. Mr. Dreisbach advised staff was pleased that the erosion issues along the stream were corrected as an in house project which saved the City a significant amount of money.

Mr. Bogard inquired if stop signs could be installed at Kehr Road and Chestnut Street while US 27 was under construction to allow the Kehr Road traffic onto Chestnut Street safely. Mr. Dreisbach advised the installation of stop signs was regulated by the Ohio Revised Code and staff could evaluate the traffic in that area once the US 27 construction was underway to see if stop signs were warranted.

Mayor Keebler noted in some ways he understood the repaving of Kehr Road and inquired if it was a waste of money to repave the road before it received heavy traffic. Mr. Dreisbach advised staff felt getting the road in the best possible condition before it received heavy traffic would reduce the chance of it receiving significant damage from the increased traffic. Mayor Keebler referred to Exhibit A on page 39 of the agenda and inquired why the City was repaving the 2 alleys and if they were right-of-way, what would it take to abandon them. Mr. Dreisbach advised the alley off of Central Avenue was recommended for repaving due to a drainage issue and it was in very poor condition. Mr. Dreisbach noted the alley off of Tollgate served a limited number of people but it was in poor condition and the City had spent a fair amount of money patching potholes in that alley already. Mayor Keebler instructed staff to look into abandoning the two alleys after they were repaved and noted they were of no use to the public. Mr. Dreisbach advised staff would study what utilities might be involved and see if they could be put into an easement. Mr. Dreisbach noted there were a few pockets like these scattered about town. Mayor Keebler advised he knew the City couldn't afford to do any additional improvements on Kehr Road at this time but noted without curbs and gutters the sides of the road would not hold up. Mayor Keebler advised the same was true on Fairfield and Contreras Roads where the pavement was breaking away at numerous locations. Mayor Keebler noted the City had to come up with a way to fix these roads. Mr. Dreisbach noted Council had this discussion when the City installed sidewalks on Fairfield and Contreras Roads leading to the Community Park and it was decided at that time that the City could not afford to fund the construction of curbs and gutters. Mr. Dreisbach advised one option would be a special assessment to the property owners for the installation of curbs and gutters and staff could obtain pricing for such a project.

Mr. Snyder moved to adopt Resolution No. 4745. Mr. Harman seconded. The motion passed 5-0-0.

Mr. Blackburn returned to the dais.

ORDINANCES
SECOND READING

ORDINANCE
NEW SECTION 1143.11

An Ordinance No. 3213 Repealing Oxford Codified Ordinance Section 1143.11 Entitled MU University District, And Adopting New Oxford Codified Ordinance Section 1143.11 Entitled MU University District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would provide guidelines for privately owned property owners in the MU District to proceed with obtaining building permits and noted currently there were no guidelines for this district.

Ms. Rousmaniere asked Mr. Chen to review the intent of the proposed Ordinance. Mr. Chen advised currently the MU District had no site development regulations or list of conditional uses and if a property owner wished to add on to a structure there were no guidelines to follow.

Mr. Snyder moved to adopt Ordinance No. 3213. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Ms. Rousmaniere,
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING SECTION 1139.02

An Ordinance No. 3214 Amending Oxford Codified Ordinance Section 1139.02 Entitled Procedure. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the amendment to the Ordinance would allow a variance petition to be re-filed after a period of one year. Mayor Keebler noted this would codify an existing practice.

Mr. Bogard moved to adopt Ordinance No. 3214. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Ms. Rousmaniere, Mr. Snyder,
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public on the initiative to redesign the City's website and thanked Andrew Wilson and Kim Newton for spearheading this project. Mr. Elliott also thanked the Departments for their input. Mr. Elliott noted the City planned to roll out the new website the first of August.

Mr. Elliott discussed Amended Substitute House Bill 360 signed by the Governor in December of 2012 which made the 9-1-1 charge for all wireless subscribers permanent beginning July 1, 2013. (the charge was set to expire 12/31/12). Mr. Elliott noted a portion of the money collected by the state was dispersed to the 9-1-1 Planning Committees of each county. Mr. Elliott advised Am. Sub. H.B. 360 would gradually reduce the number of Public Safety Answering Points in each county and the state's objective was to provide incentive for counties to consider dispatching options such as consolidation in order to continue receiving 100% of the funding. Mr. Elliott noted he would keep Council and the public informed on this issue.

Mr. Kyger noted TJ Maxx opened in Oxford on Sunday and would be a nice addition to town. Mr. Kyger reminded everyone that Oxford had many great local boutiques such as Blue Tique, Collected Works, Juniper, Magnolia, Apple Tree, Paisley on High, Seaview Outfitters and Alpha House just to name a few.

Mr. McHugh advised he received signed documents this afternoon pertaining to the former Dairy Queen property and he would file the appropriate documents for the closing of this property later this week.

Mr. Bogard provided an update from the OKI meeting noting discussion on the Brent Spence Bridge was on hold pending action from the Kentucky legislature. Mr. Bogard noted the Governor would release 1.2 billion in bonds for the turnpike and speed limits on highways in Ohio outside of urban areas would be increased to 70 mph. Mr. Bogard advised discussion also took place with regard to the widening of the Panama Canal and how that would affect the transport of freight on river, rail and highways.

Mr. Snyder publically acknowledged and expressed appreciation for the work Bob Ratterman was doing and noted with the untimely passing of Pete Conrad there was a void in the dissemination of information through print media. Mr. Snyder advised Mr. Ratterman came back from retirement to cover City Council Meetings, School Board Meetings and other events in Oxford and his efforts were appreciated.

Ms. Rousmaniere thanked the City and the Mayor for the Earth Day and Arbor Day Proclamations. Ms. Rousmaniere advised Earth Fest would take place this Saturday coordinated by Miami's Institute for Environmental Sciences. Ms. Rousmaniere noted participants would collect litter on campus from 10:00 to 11:00 a.m. and from 11:00 a.m. to 1:00 p.m. informational displays and activities were planned on the slant walk at the corner of Campus Avenue and High Street.

Ms. Rousmaniere advised Arbor Day was Friday, April 26th and the annual celebratory planting of an October Glory Maple tree was scheduled for 11:00 a.m. at the Tri Center.

Ms. Rousmaniere noted the Memorial Plaque recognition ceremony was scheduled for 12:00 noon where a Red Sunset Maple tree that was donated would be planted as part of the program. Ms. Rousmaniere advised 11 trees had been donated since the program began in 2009.

Mr. Blackburn advised the Somerville Fire Department would hold a Chicken Dinner Fundraiser on Saturday, May 4th from 4:00 to 7:00p.m.

Mr. Blackburn noted the Oxford NAACP would hold its annual Freedom Fund Banquet on Sunday, April 21st at 5:00 p.m. at the Shriver Center and tickets could be purchased through Ms. Rousmaniere.

ADJOURN

Mr. Bogard moved to adjourn at 8:35 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: May 7, 2013

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

April 16, 2013
Date Prepared

PLANNING COMMISSION MEETING REPORT – April 9, 2013

Public Hearing:

PC-07-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Developments to Include the Period of Validity for an Approved Preliminary Planned Development, **City of Oxford, Applicant**

The current planned development regulations do not contain any provision related to the expiration date for an approved preliminary planned development, thus allowing the preliminary plan to be valid indefinitely. The current provision addresses an approved final planned development, but not the approved preliminary planned development. Staff contacted several Ohio city planners to see what their jurisdiction's regulations stated. The Planning Commission also discussed timeframes and extensions.

The Planning Commission determined that a one-year extension would be more beneficial for the applicant to get every aspect of the project in place. The proposed language was modified to reflect the desire of the Planning Commission. The Planning Commission voted 7-0-0 with amendments for recommendation to Council for legislative action.

Next Meeting:

The next regularly scheduled Planning Commission meeting will take place May 14, 2013.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>4/29/13</u>
City Attorney:	<u></u>	<u></u>
City Manager:	<u>DRE</u>	<u>5/3/13</u>

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: April 16, 2013

Account Code #: Not Applicable

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach; Director of Service
Prepared By

April 25, 2013
Date Prepared

Agenda Title: Modification to Oxford Codified Ordinance 923.16 (a)
Private Industrial Waste Treatment Facilities

Recommendation: Approval

Discussion:

The Oxford Environmental Commission, in conjunction with an undergraduate student at Miami University, has examined the issue of hydraulic fracturing and the waste products produced by the practice. Given that Oxford relies on a federally designated sole source aquifer, the Commission has recommended the City Council amend Codified Ordinance 923.16 (a) to include the following text:

923.16

(a) In lieu of introducing untreated or partially treated industrial wastes and polluted waters in the sanitary sewers of the City, the owner of premises producing such wastes may construct and operate at his expense private waste treatment facilities, with the effluent discharged to a natural outlet, provided such facilities are constructed and operated in compliance with Ohio R.C. 6111. **Discharge shall not mean injection into any land by well or otherwise, which shall be prohibited on any land in the City.**

While this is not an issue of immediate threat to Oxford, the Environmental Commission supports this amendment to protect the groundwater the City depends on from possible pollution from this developing technology.

Approved By:

Department Head:

Initial MBD Date 4/26/13

City Manager:

DRE \ 5/3/13

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 923.16, ENTITLED PRIVATE INDUSTRIAL WASTE TREATMENT FACILITIES, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 923.16, ENTITLED PRIVATE INDUSTRIAL WASTE TREATMENT FACILITIES.

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

SECTION I: Section 923.16 of the Codified Ordinances of the City of Oxford, Ohio, entitled Private Industrial Waste Treatment Facilities, is a subsection of Chapter 923 which regulates sewers and sewage disposal.

SECTION II: City Council has determined that a provision should be added to Section 923.16 of the Codified Ordinances of the City of Oxford, Ohio, entitled Private Industrial Waste Treatment Facilities, to prohibit the disposal of effluent by means of injection into any land by well or otherwise within the City of Oxford.

SECTION III: Current Section 923.16 of the Codified Ordinances of the City of Oxford, Ohio, entitled Private Industrial Waste Treatment Facilities, is hereby repealed and new Section 923.16 is adopted to read as follows: (additions are **bolded** and deletions are ~~struck through~~)

923.16 PRIVATE INDUSTRIAL WASTE TREATMENT FACILITIES

- (a) In lieu of introducing untreated or partially treated industrial wastes and polluted waters in the sanitary sewers of the City, the owner of premises producing such wastes may construct and operate at ~~his~~ **the owners** expense private waste treatment facilities, with the effluent discharged to a natural outlet, provided such facilities are constructed and operated in compliance with Ohio R.C. 6111. **Discharge shall not mean injection into any land by well or otherwise, which shall be prohibited on any land in the City.**
- (b) Where such private waste treatment facilities are provided they shall be maintained continuously in satisfactory and effective operation by the owner at ~~his-the~~ **owners** expense.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

April 3rd, 2013

To: Whom it may concern

From: Tyler J. Elliott, Senior Undergraduate Student, Miami University

Re: Modifying Sec. 923.16(a) of Codified Ordinances of the City of Oxford, Ohio, Title III, Chapter 923

The following page explains the reasoning behind a proposed amendment to Oxford Codified Ordinance 923.16(a) that would ban the injection of wastewater into natural outlets by means of injection well.

Under the current form of the ordinance, which has not seen an update since its initial passage in 1963, there are no means to adequately protect Oxford from the disposal of unregulated wastewater. Ohio Revised Code 6111.043(b) (Regulation of the injection of sewage, industrial waste, hazardous waste, and other wastes into wells) operates under provision of the Safe Drinking Water Act of 1974 (SDWA). In 2005 the SDWA was amended so as to exclude from regulation the operations, including, but not limited to, hydraulic fracturing and other methods of natural gas extraction. Such operations create a byproduct that contains chemicals and elements known to be toxic to humans, such as barium, strontium, bromides, and benzene.

Given Oxford's location above the federally recognized Great Miami Buried Valley Aquifer, which is classified by the United States Environmental Protection Agency as a Sole Source Aquifer (a sole or principal source of drinking water that, if contaminated, "would create a significant hazard to public health")¹ a greater degree of protection deserves to be afforded to the region than that which is currently available.

Other cities in the State of Ohio have recently foreseen the potential damages that could be inflicted on their communities through wastewater injection and have passed amendments similar to this one. These most notably include Mansfield, where a voter referendum banned the practice this past November, and Cincinnati, where the City Council, in August 2012, passed an amendment to their waste disposal practices with near identical language to what the following amendment to the ordinance proposes.

¹ Federal Register Vol. 53, No. 131, July 8, 1988.

MODIFYING Sec. 923.16(a) - Private Industrial Waste Treatment Facilities, of Codified Ordinances of the City of Oxford, Ohio, Title III, Chapter 923 - Sewers and Sewage Disposal

WHEREAS, there is concern about the potential for waste being injected into the ground within the confines of the city and being harmful to its citizens and the environment; and

WHEREAS, municipalities have the power and responsibility to enact laws preserving public health, safety, and welfare of the municipality and its citizens; and

WHEREAS, officials are unable to assess the risks to the public health, safety, and welfare of injected waste; and

WHEREAS, the guarantee of safety to public drinking water cannot be adequately affirmed in areas of deep injection wells; and

WHEREAS, the City is located near the Great Miami Buried Valley Aquifer, which is recognized nationally as an important source of regional drinking water; and

WHEREAS, there is need to expressly prohibit waste disposal by injection into any land within the City; now, therefore

It is recommended to the Council of the City of Oxford, State of Ohio:

Section 1. That Section 923.16(a) - Private Industrial Waste Treatment Facilities, of Codified Ordinances of the City of Oxford, Ohio, Title III, Chapter 923 - Sewers and Sewage Disposal, be modified as follows:

923.16 PRIVATE INDUSTRIAL WASTE TREATMENT FACILITIES.

(a) In lieu of introducing untreated or partially treated industrial wastes and polluted waters in the sanitary sewers of the City, the owner of premises producing such wastes may construct and operate at his expense private waste treatment facilities, with the effluent discharged to a natural outlet, provided such facilities are constructed and operated in compliance with Ohio R.C. 6111. Discharge shall not mean injection into any land by well or otherwise, which shall be prohibited on any land in the city.

Section 2. That existing Section 923.16(a) of Chapter 923 of Title III of Codified Ordinances of the City of Oxford, Ohio be repealed.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: April 16, 2013

Account Code #: Not Applicable

Budgeted Amount: \$ N/A

Service Department

Originating Department

Michael B. Dreisbach; Director of Service

Prepared By

April 25, 2013

Date Prepared

Agenda Title: Amendment to Oxford Codified Ordinance 931.02 (d)

Recommendation: Approval

Discussion: Ordinance No. 3154, approved by Council in July 2011 for *residential* waste collection (up to and including 4-unit buildings), created the "Mile Square Plus" zone for refuse collection and required waste wheeler totes (WWT) in this zone for the collection of solid waste. The original wording of the Ordinance based the number of required WWT's per property on the number of residents at a property. The intent of the Ordinance was for each unit on a property to have its own WWT; the benefit being that users are more likely to have adequate capacity of their solid waste, and there would not be an issue of one unit paying for trash collection service while another unit was using the payer's capacity.

After reviewing the effects of the new Ordinance, staff has found that a disparity exists where similar buildings have been assigned different solid waste collection rates based on different residency levels. An example would be a 4-unit apartment building with only 2 people in each unit. Based on the existing Ordinance, only 2 WWT's would be required. Conversely, a 4-unit apartment building with the intended minimum of 1 WWT per unit would be billed for 4 WWT's. To correct this situation, the following amendment is proposed:

Codified Ordinance Chapter 931.02(d). {revised language in bold font.}

(d) The required minimum number of wheeled lid-attached tote containers shall be **one (1) per unit, with additional containers required** based upon the **maximum** permitted residential occupancy. The minimum number of wheeled lid-attached tote containers required ~~for a property~~ is as follows:

Maximum Permitted Occupancy

~~Number of residents~~

Waste Wheeler Tote Containers

1 – 4

1

5 – 8

2

9 – 12

3

13 and more – 16

4

Approved By:

Department Head:

Initial

Date

MBD

4/26/13

City Manager:

DAE

5/3/13

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 931.02, ENTITLED CONTAINER REQUIREMENTS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 931.02, ENTITLED CONTAINER REQUIREMENTS.

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

SECTION I: Section 931.02 of the Codified Ordinances of the City of Oxford, Ohio entitled Container Requirements, regulates the type of containers utilized for the collection and disposal of solid waste and recycling.

SECTION II: City Council added a provision to Section 931.02(d) of the Codified Ordinances of the City of Oxford, Ohio that required all residential utility customers residing in rental properties in the Mile Square to utilize Waste Wheeler Totes for the collection and disposal of solid waste with the adoption of Ordinance No. 3154 on July 19, 2011. To clarify the intent of the Ordinance, additional language should be added to establish that the number of Waste Wheeler Totes required per dwelling unit shall be based upon the maximum permitted residential occupancy.

SECTION III: Current Section 931.02 of the Codified Ordinances of the City of Oxford, Ohio, entitled Container Requirements, is hereby repealed and new Section 931.02 is adopted to read as follows: (additions are **bolded** and deletions are ~~struck through~~)

931.02 CONTAINER REQUIREMENTS

- (a) No customer of any public or private premises shall permit the accumulation upon the premise of any garbage or refuse except in covered containers approved by the Service Director. Such containers shall be constructed in such manner as to be strong, not easily corrodible, rodent-proof and of a capacity of not more than 32 gallons or weighing more than 60 pounds loaded, or in a wheeled lid-attached tote (gross weight limit of 250 pounds), or in dumpster containers approved by the Service Director capable of being lifted mechanically by the waste contractor. All containers shall have tight covers, the same to be in place at all times except when garbage or refuse is being deposited or removed. In the event garbage and refuse are disposed of separately, the Service Director may require separate containers. Tree cuttings and odd articles shall be crushed and/or bundled in lengths not to exceed three feet or 50 pounds in weight. Recycling materials may be accumulated in the recycling container issued to each customer or in a larger container which is approved for garbage or refuse accumulation.

(b) (1) All residential users and customers except as provided for herein within the Mile Square "Plus" area, shall be required to utilize a wheeled, lid-attached tote (waste wheeler tote) container capable of being mechanically lifted by the collection vehicle with a gross weight limit of 250 pounds.

(2) The wheeled lid-attached tote containers shall be obtained (monthly rental or purchased) from the waste contractor. The lid of the wheeled lid-attached tote shall be tightly closed when placed curbside in the right-of-way for collection. No residential user or customer shall allow the tote to overflow. No solid waste shall be placed on top of, next to, or around the tote. Owner occupied properties are not required to utilize the wheeled lid-attached tote containers.

(c) For the purpose of Oxford Codified Ordinance Chapter 931.02, the Mile Square "Plus" area is defined as the area enclosed by, and on the exterior parameter of the intersections of East Chestnut Street and Patterson Avenue, west to West Chestnut and South Locust Streets, north to North Locust and West Sycamore Streets, east to East Sycamore Street and Tallawanda Road, south to Tallawanda Road and East High Street, east to East High Street and Patterson Avenue, and south to the intersection of Patterson Ave. and Chestnut Street. The ancillary streets of Arrowhead Drive, Acorn Circle, Lincoln Street, North Beech Street, North Poplar Street, Homestead Avenue, Bouden Lane, North Campus Avenue, and University Avenues shall be considered as included in the Mile Square "Plus" area.

(d) The required minimum number of wheeled lid-attached tote containers shall be **one (1) per unit, with additional containers required** based upon the **maximum** permitted residential occupancy. The minimum number of wheeled lid-attached tote containers required ~~for a property~~ is as follows:

Maximum permitted occupancy	
Number of Residents	Waste Wheeler Tote Containers
1 – 4	1
5 – 8	2
9 – 12	3
13 and more - 16	4

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: May 7, 2012

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

April 29, 2013
Date Prepared:

Agenda Title:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Development, Specifically 1145.09 Period of Validity, to Define a Period of Validity of an Approved Preliminary, City of Oxford, Applicant
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Recommendation: Approval

Discussion:

The current planned development regulations in the Oxford Zoning Code do not contain any provision related to the expiration date for an approved preliminary planned development. It allows the approved plan to be valid indefinitely, which creates potential issues in the future when the development proposal does not reflect the surrounding environment.

The purpose of a preliminary planned development is to create a gauge between the applicant and the Planning Commission and/or City Council as to how a creative development could take place. After the approval of the preliminary planned development, the developer would further develop detailed plans, based upon the approved preliminary plan. The approval of the preliminary planned development provides some assurance to the applicant/developer to move forward with the final plan and the perimeter of how the final plan should look. It also provides a reference for the decision maker when reviewing the final planned development. More importantly, it provides the applicant/developer to secure financing for the development.

Based on these considerations, it would not be unreasonable to set a two-year time frame for the approval period, with the possibility to obtain two extensions, each extension being good for a one-year period. An application seeking an extension shall be filed prior to the expiration date of the approval period. The original proposal by City Staff was to provide four-extensions with each extension valid for a 6-month period. The Planning Commission felt that providing a one-year extension would be more beneficial to the applicant to have every aspect of the project in place.

Please also note that this amendment does not affect any previously approved preliminary PUD by City Council. This amendment only applies to new PUD applications.

The Planning Commission held a public hearing on this matter on April 9, 2013 and voted 7-0-0 unanimously to recommend City Council for approval.

Approved By:	Department Head:	<i>JHC</i> / 4/29/13
	City Attorney:	
	City Manager:	<i>DRE</i> / 5/3/13

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1145.09 ENTITLED PERIOD OF VALIDITY, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1145.09 ENTITLED PERIOD OF VALIDITY.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on April 9, 2013 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1145.09 entitled Period of Validity, and adopting new Oxford Codified Ordinance Section 1145.09 entitled Period of Validity.

SECTION II. Council hereby finds that it is necessary to establish a time Period of Validity for preliminary and final planned developments to assure the orderly development of land.

SECTION III: Council hereby repeals Section 1145.09 of the Oxford Code of Ordinances and adopts new Section 1145.09 as follows: (additions are bolded and deletions are struck through)

1145.09 PERIOD OF VALIDITY.

~~(a) If an approved final planned development has not been substantially established within one year of its approval, or if construction falls more than one year behind the approved schedule, the Zoning Administrator shall consider the approval null and void and shall not issue any permits for the development.~~

(a) PRELIMINARY PLAN. A preliminary planned development approval shall be valid for two (2) years. If an application for a final planned development has not been filed within two (2) years, the preliminary planned development approval is considered null and void. If the scope of the approved preliminary plan has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a one (1) year extension. No more than two (2) extensions shall be granted.

~~(b) An applicant may request a time extension from the Planning Commission. No application materials are required, however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. Planning Commission shall consider the request at its next regularly scheduled meeting. Such request does not require a public hearing.~~

(b) FINAL PLAN. A final planned development approval shall be valid for one (1) year. If an approved final planned development has not been substantially established within one (1) year of its approval, or if construction falls more than one (1) year behind the approved schedule, the Zoning Administrator shall consider the approval null and void and shall not issue any additional permits for the development. If the scope of the approved final plan has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a one (1) year extension. No additional extensions shall be granted for the final planned development.

~~(e) If the scope of the approved planned development has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a 6-month extension of time for compliance. No more than four such extensions may be granted.~~

(c) EXTENSION PROCEDURE. No application materials are required; however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. The Planning Commission shall consider the request at its next regularly scheduled meeting. Such requests will not require a public hearing.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	May 7, 2013
<u>Case Number</u>	PC-07-2013
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	PC-07-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Developments to include the period of validity for an approved preliminary planned development, City of Oxford, Applicant
<u>Public Hearing Information</u>	On March 12, 2013 a Public Hearing took place at 118 W. High Street. A second hearing took place on April 9, 2013. A Public Hearing notice was published in the Oxford Press on February 8, 2013.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	At the first Public Hearing the Planning Commission felt the proposed language needed reworked to better clarify the intent. The case was Tabled. After listening to the Planning Commission's input, Staff made revisions which detailed the period of validity, and the number of extensions allowed for preliminary and final planned developments. The Planning Commission approved the new language.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated February 25, 2013 2. Versions of zoning code text language submitted to the Planning Commission 3. Interoffice Review Transmittal Sheets 4. Zoning Code Text Amendment Application dated January 23, 2013

Memorandum

TO: David Prytherch, Chair
Oxford City Planning Commission

FROM: Jung-Han Chen
Community Development Director

SUBJECT: **PC-07-2013 ZONING CODE AMENDMENT** to amend Chapter 1145
Planned Development to include the period of validity for an approved
Preliminary Planned Development

DATE: April 2, 2013

At the last regular meeting, Commission felt the proposed language needed to be reworked to clarify the intent. The Community Development staff made revisions to the language to reflect some of the discussion that took place at the meeting, which is attached in your packet for your consideration.

Staff also took the opportunity to further review the proposed language and made some additional changes to the text. Some highlights of the proposed revision are as follows:

1. Stipulate the period of validity based on the status of an approved planned development, whether preliminary or final planned development. It now provides the number of extensions that can be granted by the Planning Commission.
2. Limit the extension for an approved final planned development to only two extensions.
An approved planned development is considered null and void if it has not been substantially established within one year of its approval. Therefore, the recommended language to request for an extension is limited to one (1) year only.

Let me know if you have any other questions on this.

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-07-2013

Date – March 12, 2013

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Developments, Specifically 1145.09 Period of Validity, to Define a Period of Validity of an Approved Preliminary PUD, City of Oxford, Applicant

DESCRIPTION

The current planned development regulations in the Oxford Zoning Code do not contain any provision related to the expiration date for an approved preliminary planned development. It allows the approved plan to be valid indefinitely, which creates potential issues in the future when the development proposal does not reflect the surrounding environment.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1145.09 Period of Validity

COMPREHENSIVE PLAN

Not applicable

AGENCY REVIEWS

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

Police:	No comment
Fire:	No comments received
Engineering:	No comment
Econ. Dev.	Comment received

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The purpose of a planned development is to incorporate land uses and development patterns that are intended to allow and encourage creative and flexible land development that would otherwise not be permitted. The planned development is a good alternative to a traditional subdivision and infill development that utilizes available land and existing utility resources where they already exist.

The current provisions regarding the period of validity only addresses the final planned development approval, but not the approved preliminary planned development. This could be potentially problematic when the preliminary planned development is approved years prior that the conditions and circumstances of the surrounding environment may be totally different, and the environment when the approval was approved is no longer the same. In the absence of any sunset provisions, the decision body would have to honor the approved preliminary plan even though the approval may have been years ago.

Staff initiated email correspondence to all Ohio planners to see what their jurisdictions' regulations might be on this matter. For those who responded to this request, the approval period ranged from 6 months to three years. The validity also varied based on either the approval of the final plan or on the final plan

application submission date. Additionally, those who responded to this request also aired some caution as to whether the planned development is an overlay district or a rezoning request. Geographically, those who responded to this request were located in the southwest region of Ohio, so there were some locality factors that could be drawn upon when considering proposed changes.

Additionally, the purpose of preliminary planned development is to create a gauge between the applicant and the Planning Commission and/or City Council as to how a creative development could take place. After the approval of the preliminary planned development, the developer would further develop detailed plans, based upon the approved preliminary plan. The approval of the preliminary planned development provides some assurance to the applicant/developer to move forward with the final plan and the perimeter of how the final plan should look. It also provides a reference for the decision maker when reviewing the final planned development. More importantly, it provides the applicant/developer to secure finance for the development.

Based on these considerations, it would not be unreasonable to set a two-year time frame for the approval period, with the possibility to obtain four extensions, each extension being good for a 6-month period. An application seeking an extension shall be filed prior to the expiration of the approval period.

RECOMMENDATION

Staff recommends that the Commission concur with the changes and forward to Council for legislation.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: February 25, 2013

ATTACHMENT

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Revised Draft language to Section 1145.09 for 4/9/13 Planning Commission meeting

1145.09 PERIOD OF VALIDITY

- (a) **PRELIMINARY PLAN.** A preliminary planned development approval shall be valid for two (2) years. If an application for a final planned development has not been filed within two (2) years, the preliminary approval is considered null and void. If the scope of the approved preliminary has not changed and the proposed use and site plan still satisfy the decision standards, the planning Commission shall grant a 6-month extension. No more than four (4) extensions shall be granted.
- (b) **FINAL PLAN:** A final planned development approval shall be valid for one (1) year. If an approval final planned development has not been substantially established within one (1) year of its approval, or it construction falls more than one (1) year behind the approved schedule, the Zoning Administrator shall consider the approval null and void and shall not issue any permits for the development. If the scope of the approved final plan has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a 6-month extension, No more than two (2) extensions shall be granted for the final planned development
- (c) **EXTENSION PROCEDURE.** No application materials are required, however, the Zoning Administrator may request information if he or she deems necessary for the Planning Commission to make a decision. The Planning Commission shall consider the request at its next regular scheduled meeting. Such requests will not require a public hearing.

Planning Commission Language of 3/12/13 Planning meeting

1145.09 PERIOD OF VALIDITY

(a) An application for a final planned development shall be filed within two (2) years from the approval date of the preliminary planned development, otherwise the approved preliminary planned development is considered null and void, unless an extension of the approval has been granted by the Planning Commission within this two-year period. An extension application may be filed in accordance with subsection (c) and (d) of this section.

~~(a)~~ (b) If an approved final planned development has not been substantially established within one year of its approval, or if construction falls more than one year behind the approved schedule, the Zoning Administrator shall consider the approval null and void and shall not issue any permits for the development.

~~(b)~~ (c) An applicant may request a time extension from the Planning Commission. No application materials are required, however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. The Planning Commission shall consider the request at its next regularly scheduled meeting. Such request does not require a public hearing. An application seeking an extension shall be filed prior to the expiration of the approval period.

~~(c)~~ (d) If the scope of the approved planned development has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a 6-month extension of time for compliance. No more than four such extensions may be granted.

Existing Zoning Code Language

1145.09 PERIOD OF VALIDITY.

(a) If an approved final planned development has not been substantially established within one year of its approval, or if construction falls more than one year behind the approved schedule, the Zoning Administrator shall consider the approval null and void and shall not issue any permits for the development.

(b) An applicant may request a time extension from the Planning Commission. No application materials are required, however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. Planning Commission shall consider the request at its next regularly scheduled meeting. Such request does not require a public hearing.

(c) If the scope of the approved planned development has not changed and the proposed use and site plan still satisfy the decision standards, the Planning Commission shall grant a 6-month extension of time for compliance. No more than four such extensions may be granted.

City of Oxford
Inter-Office Review Transmittal Sheet

dist @ PC mtg
3/12/13

Date: 3/5/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-07-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned
Developments to include the period of validity for an approved preliminary planned development, **City
of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **3/8/13** 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: 3-11-13

John Detherage
PRINTED NAME

RECEIVED
MAR 12 2013
CITY OF OXFORD

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 3/5/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-07-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned
Developments to include the period of validity for an approved preliminary planned development, **City
of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **3/8/13** 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: *A. Popescu*

Date: 3-6-13

VICTOR POPESCU
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 3/5/13

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-07-2013 ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned
Developments to include the period of validity for an approved preliminary planned development, **City
of Oxford, Applicant**

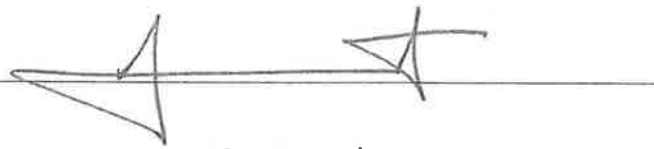
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **3/8/13** 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: 3-6-2013

R.B. HOLZWORTH
PRINTED NAME

Case No.: PC-07-2013
Date Filed: 1/23/13

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

Sam Perry, City of Oxford

Mailing Address:

(Attach a Letter of Agency if the applicant is not the property owner.)

101 E. High St., Oxford, OH 45056

Telephone Number(s)

Email Address

1145, Planned Development

SUBMISSION REQUIREMENTS

A written, detailed description, where applicable, is required for each subsection.

All applications must include:

- A. A general description of the proposed amendment.
- B. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- C. A statement that identifies potential negative consequences of the proposed amendment.
- D. Any existing section number and text that is proposed to be deleted or amended.
- E. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- F. A narrative statement that describes the expected effects of the proposed text.
- G. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Planning Commission and Council Review The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

Decision Standards A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

- A. make the Code conform more closely with the Comprehensive Plan.
- B. improve the public health, safety, and general welfare of Oxford.
- C. clarify the intent of the Code.
- D. better implement the intent of the Code.
- E. improve enforcement of the Code.

All materials and the application fee in the amount of **\$150.00 plus actual postage**, payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056 45 days prior to the proposed meeting date. Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT:

Sam Perry

Date: 1-23-13

PRINTED NAME:

Sam Perry

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number:

NA

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 5/7/2013

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

4/29/2013
Date Prepared

Agenda Title:	2013 Supplemental Budget #2
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Recommendation:	Approve
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Issue 1

Received \$255,569.76 in Estate Tax
45% of Knolls of Oxford revenue less associated fees - \$106,082.83

Action Needed:

Revenue Side

General 110	255,569.76	Estate Tax Received
Capital Equipment 140	140,000.00	Transfer from General Fund

Expense Side

General 110	106,082.83	Amount owed to Oxford Township per Knolls of Oxford agreement (45%)
General 110	140,000.00	Transfer to Capital Equipment Fund

Net Effect on Fund Balance/(s)	149,486.93	
Increase/(Decrease)		

Total Net Effect on Fund Balance/(s)	149,486.93	
Increase/(Decrease)		

Breakdown by Fund

General 110	9,486.93	
Capital Equipment 140	140,000.00	

Net Effect on Fund Balance/(s)	149,486.93	
Increase/(Decrease)		

Approved By:	Department Head:	<u><i>[Signature]</i></u> Initials <u>4/29/13</u> Date <u><i>[Signature]</i></u> City Manager: <u>5/3/13</u>
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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3190. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2013.

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:

General Fund 110	255,569.76
Capital Equipment Fund 140	140,000.00

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

General Fund 110	106,082.83
General Fund 110	140,000.00

SECTION 4: The following transfer(s) be executed:

Transfer from:	
General Fund 110	140,000.00

Transfer to:	
Capital Equipment Fund 140	140,000.00

SECTION 5: In all other respects, Ordinance No. 3190 shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED:

ATTEST:

CLERK OF CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)