



Agenda

Oxford City Council

Court House

TUESDAY, JULY 5, 2011

EXECUTIVE SESSION

7:00 P.M.

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

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. Recognition - OPD K-9 Teams.



Certificate

B. Appointments to Boards and Commissions.

C. Public Comments.

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

4. Consent Agenda.

A. Minutes of the June 21, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

5. Resolutions. None.

6. Ordinances.

A. First Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 931.02, Entitled Container Requirements, And Adopting New Oxford Codified Ordinance Section 931.02, Entitled Container Requirements And Declaring An Emergency. (Mike Dreisbach, Service Director) ** The proposed Ordinance to be adopted as an emergency at the second reading**



Staff Report/Ordinance

2. An Ordinance Repealing Ordinance No. 3133 And Adopting A New Ordinance Amending Section 3 Of The Salary Ordinance. Part-Time Positions Increasing Certain Pay Bands On Attachment "A" Of Ordinance No. 3133 By Two Percent (2%) And Adding The Position Of Senior Program Coordinator. (Donna Heck, Human Resources Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Approving The Vacation Of The Alley Right-Of-Way Running North-South Between East Church Street And East High Street; Between Tallawanda Road And Bishop Street. (Doug Elliott, City Manager)



Staff Report/Ordinance

2. An Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

- B. Future Meetings. (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - July 6 Environmental Commission Meeting 7:00 p.m. Municipal Building

WED - July 6 Historic and Architectural Preservation Commission Meeting 7:30 p.m.

TUES - July 12 Planning Commission Work Session 6:00 p.m.

TUES - July 12 Planning Commission Meeting 7:30 p.m.

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

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

WED - July 20 Board of Zoning Appeals 7:30 p.m. Cancelled

FRI - July 22 Community Improvement Corporation Meeting 12:00 p.m. LCNB Cancelled

WED-July 27 Civil Service Commission Meeting 7:00 p.m.

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

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

WED - Aug 3 Historic and Architectural Preservation Commission Meeting 7:30 p.m.

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

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

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

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

WED - Aug 24 Civil Service Commission Meeting 7:00 p.m.

FRI - Aug 26 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

RECOGNITION

The Oxford Division of Police is proud to recognize the accomplishments of K-9 Sgt. David King, his partner Dover, and Officer Ryan Sikora and his partner, Cole. Both K-9 teams participated in a regional USPCA (United States Police Canine Association) trial event in Middletown recently.

This event provided both of our teams an opportunity not only for certification (in the case of Cole) but also re-certification in Dover's case. Additionally, the event which hosted Police K-9 teams from five states, allowed OPD K-9 teams to gauge their skills and competency in various venues against those from other departments. Nearly forty (40) teams participated in the week-long event.

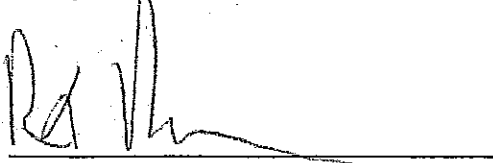
OPD, the City of Oxford, and its citizens have reason to be very proud of our K-9 teams.

Officer Sikora and Cole were certified at their first trial. In addition, the Sikora-Cole team placed 5th on suspect search, 18th on patrol, 5th in narcotics and TOP NOVICE in narcotics.

Sergeant King and Dover were re-certified with ease. In addition, the King-Dover team placed 4th in inside narcotics search and 2nd overall in narcotics.

We are in fact fortunate to have two such skilled handlers and K-9s in a small police department. Their achievements are testament to the hard work, training, dedication, and focus which these two teams approach K-9 policing.

Congratulations, David, Dover, Ryan, and Cole.

A handwritten signature in black ink, appearing to read 'Richard A. Keebler', is written over a horizontal line.

Richard A. Keebler, Mayor

City of Oxford, Ohio

July 5, 2011

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 21, 2011 at 7:00 p.m. Those members present were Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan. Kate Currie was excused.

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

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (1) for the purpose of discussing Appointments to Boards and Commissions and (4) for the purpose of discussing Collective Bargaining strategies. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Rutherford,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to adjourn from Executive Session at 7:29 p.m. Mr. McKeehan seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION

MIAMI UNIVERSITY OFFICE OF COMMUNITY ENGAGEMENT AND SERVICE

Ms. Bobbe Burke, Coordinator, Off Campus Affairs, advised she was pleased to provide an introduction to the presentation this evening that demonstrated the positive power of Town Gown relations. Ms. Burke noted Town Gown relations referred to how cities, universities and colleges that shared the same geographical space could partner in mutually beneficial ways to produce very positive results. Ms. Burke advised that Ms. Grace Andrews would share how comprehensive and intentional collaborative partnering was meeting many local community needs. Ms. Burke noted Ms. Andrews was a AmeriCorps Vista worker in the Office of Community Engagement and Service and she would share how this Student Affairs Office and its professional and student staff were coordinating efforts that expanded Miami University's civic outreach and assisted Oxford, Butler County and Southwest Ohio agencies to receive critically needed support.

Ms. Grace Andrews, advised she was excited to share what the Office of Community Engagement and Service did and how they impacted the Oxford community. Ms. Andrews noted she was an undergraduate student at Miami from 2006 through 2010 and became involved in service learning initiatives as a junior. Ms. Andrews advised she became aware of the opportunity to serve as an AmeriCorps Vista coordinating service learning initiatives and courses and had been doing so ever since. Ms. Andrews noted her role was to serve through Ohio Campus Compact to connect campuses to communities in need by leveraging campus resources to alleviate poverty and build capacity at non-profits and social service agencies in the community. Ms. Andrews advised she accomplished her role through student engagement and civic outreach. Ms. Andrews provided a PowerPoint presentation and discussed the Office of Community Engagement and Services' mission and vision which was to catalyze mutually beneficial campus and community partnerships and to see learning and serving as one. Ms. Andrews noted the Office of Community Engagement and Service developed a framework that delivered their vision of the engaged university where learning and serving occurred as one through four main programs including: one-time and ongoing volunteer opportunities in Oxford, service based events such as Make a Difference Day and Dr. Martin Luther King Day, tutoring programs and advocacy programs. Ms. Andrews advised service learning at Miami connected academic course work to community service and Miami offered over 50 service learning courses. Ms. Andrews thanked Council for letting her provide the overview and invited Council to support and collaborate in the work that was done through the Office of Community Engagement and Service.

Mayor Keebler thanked Ms. Andrews noting the presentation was very informative and it was great to learn about the depth of student involvement in the community.

RECOGNITION
POLICE AND FIRE
DEPARTMENT STAFF

Chief Schwein noted several City employees would receive letters of commendation this evening signed by Mayor Keebler and Mr. Elliott as the Safety Director for the City. Chief Schwein asked PSCO Buttery, Officer Jenkins and Detective Robinson to come forward. Chief Detherage asked Jordan Gula, Mike Lintz, Jeff Matix and Seth Adams to come forward. Chief Schwein read the letter of commendation for Police Division personnel and noted the officers would receive the Oxford Police Division Life Saving Award and PSCO Buttery and Osborne would receive a Certificate of Commendation. Mr. J.C. Rupel thanked the Police and Fire department personnel for saving his life on May 18, 2011 after suffering from cardiac arrest. Mr. Rupel also thanked City Council for providing such fine services for the citizens of Oxford. Chief Detherage handed out the Fire and EMS letter of commendation to his staff noting a lot had changed in the Fire Division over the past three years he was very proud of his staff.

Mayor Keebler thanked the voters of the City of Oxford for supporting the .25% earnings tax increase to support the Fire and EMS Division.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Mr. McKeehan moved to reappoint Karen Martino to the Civil Service Commission for a term expiring June 30, 2014, Gary Myer to the Board of Zoning Appeals for a term expiring June 30, 2014, Kim Peterka and Laura Henderson to the Historic and Architectural Preservation Commission for terms expiring June 30, 2015, Charles Ford to the Environmental Commission for a term expiring June 30, 2015, Richard Nault to the Community Relations Commission for a term expiring June 30, 2014, Brandy Darby to the Recreation Board for a term expiring June 30, 2014, Tom Speh and Susan Lipnickey to the McCullough-Hyde Hospital Board of Trustees for terms expiring June 30, 2016 and to appoint Robert Benson to the Planning Commission for a term expiring June 30, 2016 and Robert Bell to the Board of Appeals (Building and Housing) for a term expiring June 30, 2016. Mr. Bogard seconded. The motion passed 5-0-1 with Mr. Rutherford abstaining.

PUBLIC HEARING
2012 TAX BUDGET

Mr. Newlin advised the Tax Budget was the first step of the budgeting process and it was due at the auditor's office by July 20, 2011. Mr. Newlin offered to answer any questions.

Mayor Keebler closed the public hearing at 7:54 p.m.

PUBLIC COMMENTS

Mr. David Prytherch, 6253 Devonshire Drive, noted he was in attendance in his capacity as Miami University's Sustainability Coordinator and would update Council on the university's Transportation Master Plan. Mr. Prytherch advised Miami contracted with an outside consultant to help lead the process on campus by looking at bicycling and walking on campus, the Miami Metro system and parking. Mr. Prytherch noted Miami extended itself to take comments and receive participation from City staff and the public with an open house on the Miami Metro. Mr. Prytherch advised the part of the process that related to the City was the bicycling and pedestrian portion of the process. Mr. Prytherch noted the consultants and Miami University recognized that the more students walked, bicycled and rode the Miami Metro the less congested the streets would be, pressure on parking would be reduced and it would create a safer public environment and higher quality of life for everyone. Mr. Prytherch advised staff was representing the City throughout this process and their participation was necessary for some of the proposed initiatives such as bicycle lanes that extended beyond the campus. Mr. Prytherch noted the Oxford Planning Commission, Environmental Commission and the Parking and Transportation Advisory Board had dealt with some of these issues in the past. Mr. Prytherch advised the City Manager would need to direct this process so that the City's and the public's involvement was the best it could be for Miami to receive the most input. Mr. Prytherch noted a draft plan would be available in July which was the first step for the work on campus and beyond.

CONSENT AGENDA

MINUTES

Minutes of the June 7, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the June 1, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION

CONTRACT WITH NEOPOST

A Resolution No. 4612 authorizing the City Manager to enter into an agreement with Neopost for a 60-month lease for postage equipment through state contract pricing. (Kim Newton, Assistant to the City Manager)

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

RESOLUTIONS

RESOLUTION **RLF LOAN**

A Resolution No. 4613 approving a \$20,000 Revolving Loan Fund loan to Seaview Outfitters, LLC. (Alan Kyger, Economic Development Director)

Mr. Kyger addressed his staff report as presented on page 17 of the agenda noting the Community Improvement Corporation (CIC) Loan Review Committee met twice with the applicant and recommended approval of the loan to the full CIC board. Mr. Kyger advised the CIC met on June 10, 2011 and recommended approval of the loan with conditions. Mr. Kyger noted the applicant was asking for a \$20,000 loan at 2% interest for 5 years. Mr. Kyger advised a member of the community was willing to create an escrow account for \$20,000 which would be used as security for the loan.

Mr. Bogard noted he felt this was a great opportunity for entrepreneurs to invest in the City and this type of shop was needed in Oxford.

Mr. Kyger noted in the last several years the Revolving Loan program created almost 2 million dollars in projects while lending approximately \$500,000.

Mayor Keebler noted he felt this was a good project and with the escrow account there would be no risk for the City.

Mr. Harman thanked Mr. Kyger and the CIC for their efforts.

Mr. Harman moved to adopt Resolution No. 4613. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION **FIRE DEPARTMENT GRANT**

A Resolution No. 4614 authorizing the City Manager to accept the Fire Prevention and Safety Grant in an amount not to exceed \$70,400 with a 10% match by the City in an amount not to exceed \$7,040 for the purchase and installation of equipment in Oxford residences to promote fire safety and prevention. (John Detherage, Fire Chief)

Chief Detherage addressed his staff report as presented on page 22 of the agenda noting he came to Council earlier in the year to get permission to apply for a grant to install 4,400 photoelectric smoke alarms in rental properties in the City. Chief Detherage advised he needed Council's approval to accept the grant.

Mr. Bogard inquired if Chief Detherage had a list of the rental properties that would receive the smoke alarms and Chief Detherage advised the Community Development Department would assist with compiling the list.

Mayor Keebler noted Chief Detherage would solicit the matching funds from other grant sources and local organizations.

Mr. McKeehan moved to adopt Resolution No. 4614. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
ALLEY VACATION

An Ordinance Approving The Vacation Of The Alley Right-Of-Way Running North-South Between East Church Street And East High Street; Between Tallawanda Road And Bishop Street. (Doug Elliott, City Manager)

Mr. Elliott addressed his staff report as presented on page 24 of the agenda noting Mr. Steve Snyder was in attendance to elaborate on the university's project and answer any questions.

Mr. Steve Snyder, Secretary to Board of Trustees, Miami University, advised he would provide more context for a broader strategic priority of why the university was asking for the vacation of an alley. Mr. Snyder noted the university ran a student housing program on campus that housed 7100 students in 41 buildings and the average age of the residence halls was 50 years. Mr. Snyder advised the residence halls were well beyond the time they should be renovated. Mr. Snyder noted two years ago the university started a long range planning process to see what needed to be done to remain competitive with its sister institutions in the country. Mr. Snyder advised one of the university's largest assets was the residential living experience offered at Miami and the university needed to improve its housing stock. Mr. Snyder noted the university was launching a 20 year construction project that would be done in phases and emphasized that the university would not add net new beds. Mr. Snyder noted new residence halls needed to be in place so existing buildings could be renovated. Mr. Snyder advised new halls were planned for construction on western campus, and on the south end of campus as well as smaller residence halls in the block surrounded by High Street, Tallawanda Road and Church Street which was why the alley needed to be vacated.

Mayor Keebler advised the university owned all of the abutting property and the alley served no purpose and he felt there was no reason not to vacate it.

Mr. Rutherford noted the land was real estate that belonged to the citizens of Oxford and questioned if giving it away was the right thing to do. Mr. Rutherford inquired if there was value to the land and if this was an issue City staff should address.

Mayor Keebler, Mr. McHugh, Mr. Snyder and Mr. Elliott addressed Mr. Rutherford's concerns.

ORDINANCE
CODE UPDATE

An Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances.
(Mary Ann Eaton, Clerk of Council)

Ms. Eaton advised this was the annual Code Update which consisted of 200 replacement pages this year. Ms. Eaton noted the update included Ordinances adopted through June 1, 2011 and new or amended state laws in the traffic code and the general offense code.

Mayor Keebler noted this was a house keeping issue that was done annually and copies of the replacement pages were available at City Hall.

Mr. Bogard inquired how many sets of the update were ordered. Ms. Eaton advised 35 sets were needed for Council, staff and various other local agencies.

ORDINANCES
SECOND READING

NEW SECTION
1143.10

An Ordinance No. 3150 Repealing Zoning Code Section 1143.10 Of The Codified Ordinances Of The City Of Oxford, Ohio Entitled Uptown District, And Adopting New Section 1143.10, Entitled Uptown District. (Jung-Han Chen, Community Development Director)

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

Mayor Keebler noted the proposed Ordinance would correct an oversight from the last revision of this Section of the Code.

Mr. Blackburn moved to adopt Ordinance No. 3150. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
TAX BUDGET

An Ordinance No. 3151 Authorizing The Tax Budget For The Year 2012 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing to add regarding the Tax Budget and the Public Hearing was held this evening as required by the Ohio Revised Code.

Mr. Bogard moved to adopt Ordinance No. 3151. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeegan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Harman,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

DISCUSSION
WASTE WHEELER TOTES
IN MILE SQUARE

Mr. Dreisbach advised over time there had been complaints about litter in the Uptown area and nuisance animals getting into trash cans, spilling them over and causing more litter. Mr. Dreisbach advised the Housing Advisory Commission (HAC) took up the topic and recommended waste wheeler totes be required in the Mile Square area to abate the problems. Mr. Dreisbach noted the HAC felt this requirement would reduce nuisance animals in the Mile Square and improve the general appearance of the Uptown and Mile Square area. Mr. Dreisbach advised the cost would be \$3.00 per month to rent a container and \$100.00 to purchase the container from the solid waste contractor. Mr. Dreisbach noted he and Mr. Elliott focused on where the complaints originated and felt the Mile Square "Plus" area was the area to initiate the waste wheeler tote requirement. Mr. Dreisbach advised there were approximately 475 units in the defined area that currently did not use the totes and of those 90 were owner occupied residences. Mr. Dreisbach noted he and Mr. Elliott discussed having an exemption for owner occupied residences as typically they did not contribute to the problem. Mr. Dreisbach advised the benefits of the proposed requirement included making access to trash cans difficult for nuisance animals, reducing litter and improving the streetscape of the Mile Square. Mr. Dreisbach noted ultimately the cost for solid waste pick-up may be reduced since this was a more efficient way to collect the solid waste. Mr. Dreisbach advised staff recommended proceeding with this proposal in the defined area and staff could prepare for education and the logistics of how this proposal would be implemented at the beginning of Miami's fall semester.

Mayor Keebler noted he felt it was correct to exempt owner occupied properties from the proposed regulation since there was a lot less problem with those properties. Mayor Keebler inquired how the Ordinance would be written to insure enough waste wheeler totes would be provided for each residence.

Mr. Elliott advised he had a list of all rental units and the occupancy permitted for each although some of the units were not fully occupied.

Mr. Dreisbach advised when renters signed up for utility service, staff would start the education process by telling them they must use the waste wheeler totes, and out in the field, staff would work with the waste collection contractor. Mr. Dreisbach noted if all solid waste did not fit in one tote the renter would have to order additional totes.

Mr. Rutherford advised the data on waste and how much waste was generated per person was readily available. Mr. Rutherford noted the number of totes required could be determined if a given property had 6 rental permits and the requirement was one tote for 3 people then they would need two totes. Mr. Rutherford advised this would be equitable for all customers.

Mr. Dreisbach noted there would be disparity between customers as some would recycle the bulk of the trash.

Mr. Bogard advised the Ordinance could reflect that the number of waste wheeler totes would be determined by a formula established by the City of Oxford. Mr. Bogard inquired who would enforce the waste wheeler tote regulation and Mr. Elliott advised NIC and the Service Department. Mr. Elliott noted citizens could also report a problem. Mr. Bogard noted the penalty section needed to be reviewed. Mr. Bogard noted Parkview Arms needed additional dumpsters as theirs was always overflowing.

Mr. Blackburn inquired if parts could be kept on hand to repair the waste wheeler totes and Mr. Dreisbach advised he would check with Rumpke's route manager.

Mr. Elliott advised staff would need to bring proposed legislation to the next meeting to have the regulation in place by the beginning of the next school year.

Mr. Rutherford reiterated the Ordinance should require "X" amount of totes per person. Mr. Rutherford referred to 931.02 (b) of the draft language 'The lid of the solid waste tote shall be tightly closed when placed curbside in the right-of-way for collection. The customer shall not allow the tote to overflow. No solid waste shall be placed on top of, next to, or around the tote. Owner occupied properties are exempt from this Ordinance.' Mr. Rutherford advised the language should apply to everyone.

Mr. Harman noted there were two groups of customers, landlords and owner occupied residents and inquired if Council would create a problem by saying one group must use waste wheeler totes and the other does not. Mr. Elliott noted there was justification for treating the groups differently. Mr. McHugh advised government could make distinctions but there had to be a reasonable basis for it.

Mr. Rutherford noted tying the regulation to the rental permit system was the ideal thing to do because the non rental permit properties were owner occupied and not required to have a permit. Mr. Rutherford noted rental properties were required to be inspected and owner occupied properties were not. Mr. Rutherford advised the waste wheeler tote would go with the rental permit and it would be "X" amount of waste wheeler totes per person and there was no such thing as a fraction of a person.

Mr. McKeehan noted he served on the Housing Advisory Commission and the reason they brought the issue forward was due to the animal problem. Mr. McKeehan advised he felt this was a good first step to rectify the problem. Mr. McKeehan noted this wasn't just about animals getting into trash containers it was about them getting into attics, roofs and garages.

Mayor Keebler referred to section (b) of the draft language and suggested striking 'Owner occupied properties are exempt from this Ordinance' and replacing it with 'Owner occupied properties are not required to utilize the waste wheeler tote'. Mayor Keebler asked staff to draft the Ordinance and send it to Council early so they could provide their comments to the City Manager.

ANNOUNCEMENTS

Mr. Elliott advised he and staff members reviewed the Miami Campus Circulation Plan and put together comments that would be forwarded to Miami University and Council would be copied. Mr. Elliott noted if Council wanted to take a formal position on the initiative to let him know.

Mr. Elliott advised the City of Oxford received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending 2010. Mr. Elliott thanked Mr. Newlin and his staff for their efforts.

Mr. Elliott advised the annexation of .574 acres of right-of-way on US-27 South was complete to fulfill a commitment made to the Talawanda School Board to install a temporary traffic light at US-27 South and University Park Boulevard. Mr. Elliott updated Council on several proposed annexations that would be forthcoming. Mr. Elliott advised House Bill 50 would amend Type II annexations which would cause additional hurdles for municipalities. Mr. Elliott noted he would send a letter of opposition to HB 50 to Representative Derickson.

Mr. Dreisbach noted the Music Festival would take place on Thursday evening in the Uptown Parks and the City would provide recycling containers for the event.

Mr. Kyger updated Council with regard to the closing of Arabian Nights restaurant and the status of the Revolving Loan Fund loan. Mr. Rutherford asked staff to give consideration to what could be done to monitor the financial condition of recipients of loans from the Revolving Loan Fund.

Mr. McKeehan noted two teams from the Race Across America bike race arrived in town and the balance of the 75 teams would arrive between now and June 25th. Mr. McKeehan encouraged everyone to welcome the teams and to be cautious of the riders and their support vehicles.

Mr. Rutherford asked Mr. Dreisbach to provide an update on the SR177 & 73 improvement project. Mr. Dreisbach advised staff attended the progress meetings with the contractor and ODOT and noted ODOT was the project manager. Mr. Dreisbach advised ODOT was well aware of the City's infrastructure in the area and would safeguard it.

Mr. Rutherford encouraged everyone to visit the Farmer's Market and all of the local shops and restaurants.

Mr. Rutherford asked Mr. Kyger to look into getting Oxford listed on the Urban Spoon and other such websites.

Mr. Rutherford noted City Council was limited to two serving two consecutive terms and inquired if it was appropriate to have term limits for Boards and Commissions so there would be revolving citizen participation. Mr. Rutherford asked staff to look into the requirements for adding term limits for Boards and Commissions and to consider limiting service to two terms with the possibility of three with Council's unanimous consent. Mr. Rutherford noted he would like to know what the other Council members felt about working on an Ordinance that established term limits.

Mr. Bogard welcomed the teams from Race Across America and noted he looked forward to the event.

Mr. Bogard asked Mr. Dreisbach for details regarding the temporary traffic light at US 27 and University Park Boulevard. Mr. Dreisbach advised the US 27 South improvement project would pay for the new signal and permanent infrastructure. Mr. Dreisbach noted the signal that was taken down on North 27 would be repurposed for the temporary signal and would be installed in late July or early August. Mr. Dreisbach advised new signal signage would be installed and the light would flash for 10 days before being activated.

Mr. Bogard requested the status of the parking survey regarding the proposed extension of the no overnight parking zones. Mr. Elliott advised Council should have it prior to the next meeting.

Mr. Elliott advised if Council wished to have legislation prepared dealing with term limits for Boards and Commissions a motion should be made and seconded. Mayor Keebler advised Mr. Rutherford did not request legislation. Mr. Rutherford noted the issue needed to be a discussion item on Council's agenda.

Mr. Harman thanked Chief Schwein and Chief Detherage for their efforts noting because of their leadership the Police and Fire Departments had a great staff.

Mr. Blackburn advised the Oxford Relay for Life would take place beginning on Saturday at 1:00 p.m. at Millett Hall.

Mr. Blackburn noted Law Camp would also take place this weekend and 150 Butler County children could participate in the three day event.

Mr. Blackburn encouraged everyone to attend the Oxford fireworks on July 3, 2011.

ADJOURN

Mr. McKeehan moved to adjourn at 9:33 p.m. Mr. Harman seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 5, 2011

Service Department
Originating Department

Account Code #: N/A

Michael Dreisbach
Prepared By

Budgeted Amount: N/A

June 27, 2011
Date Prepared

Agenda Title:	Amending Oxford Ordinance Section 931 to require the use of Waste Wheeler Totes in the Mile Square "Plus" Defined Area.
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Recommendation:	Approve
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Discussion:

The Housing Advisory Commission (HAC) has discussed at length the pros and cons of requiring waste wheeler totes for residential customers in the Mile Square. Their conclusion was that the requirement would only improve the general appearance of the Mile Square and lessen nuisance animal and litter issues as well. At a cost of \$3 per month to rent, the Commission did not feel the requirement would be burdensome to residential customers, and that the requirement for totes should work hand in hand with property maintenance enforcement to further enhance the aesthetics of the Mile Square.

Staff submitted a report on the issue (May 19, 2011) to the City Manager and Council recommending the adoption of the HAC recommendation and to amend Section 931 of the Oxford Codified Ordinances to require waste wheeler totes for residential accounts in the Mile Square with an exemption for owner occupied properties. It was also recommended to include noted ancillary streets with high density rental permits for the area to be known as the "Mile Square Plus" area.

The City Council discussed this item at their June 21, 2011 meeting and directed staff to bring forth legislation amending Section 931 as recommended by the HAC. The Council also requested a quantitative number of waste wheeler totes be required based on the number of residents being served. Based on waste generation data (Solid Waste Association of North America) and discussions with the City's solid waste collection contractor, Staff has included language in the Ordinance amendment requiring one waste wheeler tote for up to every four residents.

Approved By:

Department Head:

Initial Date
MD 6/29/11

City Manager:

DRB 7/1/11

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 AND DECLARING AN EMERGENCY.

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 has determined that a provision should be added to Section 931.02 of the Codified Ordinances of the City of Oxford, Ohio to require 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.

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:

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, 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.

(Ord. 2210 Passed 1-28-92.)

- (b) 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.

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 based upon the permitted residential occupancy. The minimum number of wheeled lid-attached tote containers required for a property is as follows:

Number of Residents	Waste Wheeler Tote Containers
1 – 4	1
5 – 8	2
9 – 12	3
13 and more	4

SECTION IV: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of Oxford, the reason for such emergency being to insure the requirement for the use of wheeled lid-attached tote containers in the Mile Square "Plus" area is adopted prior to the beginning of the 2011/2012 academic school year. This Ordinance shall take effect immediately upon adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE CURRIE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: July 5, 2011

Donna Heck

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 29, 2011

Date Prepared

Agenda Title: An Ordinance Repealing Ordinance No. 3133 And Adopting A New Ordinance Amending Section 3 Of The Salary Ordinance. Part-Time Positions Increasing Certain Pay Bands On Attachment "A" Of Ordinance No. 3133 By Two Percent (2%) And Adding The Position Of Senior Program Coordinator.

Recommendation: Approve.

Discussion: The attached legislation authorizes a 2% pay increase for permanent part-time positions and fire department positions as well as increasing the pay bands to reflect the 2% increase.

Also included under Section 3 is the position, Senior Program Coordinator. This position is the aerobics instructor who has been with the City for 25 years and was considered a contract type employee for a number of those years. Not including the position in the salary ordinance was not intentional but an oversight. The Auditors have reviewed this position previously and we were not cited, however, the City Manager determined the position should be included in the Ordinance. As the position had not been included previously, the rate of \$16.25/hour is higher than allowed for other part-time positions and will be frozen at that rate.

Deletions are noted by strike through and changes/additions are in bold.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

[Signature] 6/30/11
[Signature] 7/1/11

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 3133 AND ADOPTING A NEW ORDINANCE AMENDING SECTION 3 OF THE SALARY ORDINANCE. PART-TIME POSITIONS INCREASING CERTAIN PAY BANDS ON ATTACHMENT "A" OF ORDINANCE NO. 3133 BY TWO PERCENT (2%) AND ADDING THE POSITION OF SENIOR PROGRAM COORDINATOR.

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

SECTION 1: The City Manager, Finance Director and Human Resources Director hereby recommend the repeal of Ordinance No. 3133 and the adoption of a new Salary Ordinance.

SECTION 2: The City Manager, Finance Director and Human Resources Director recommend City Council amend Section 3 of the Salary Ordinance, increase certain pay bands on Attachment "A" of the Salary Ordinance and add to the Salary Ordinance the position of Senior Program Coordinator.

SECTION 3: City Council hereby accepts the recommendation of the City Manager, Finance Director and Human Resources Director and repeals Ordinance No. 3133 and adopt a new revised Salary Ordinance and Attachment A as follows:

SECTION 4: 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)

ORDINANCE NO. 3133

AN ORDINANCE ESTABLISHING SALARIES AND CERTAIN BENEFITS FOR SALARIED AND HOURLY FULL-TIME AND PART-TIME EMPLOYEES WITHIN THE SERVICE OF THE CITY OF OXFORD, OHIO, PAID FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT THE SALARIES, WAGES AND CERTAIN BENEFITS FOR A NUMBER OF OFFICIALS AND EMPLOYEES OF THE CITY OF OXFORD BE FIXED AS FOLLOWS:

SECTION 1: The following full-time positions are hereby established with respect to position title, authorized number and pay range:

<i>POSITION TITLE</i>	<i>AUTHORIZATION</i>		
	<u>TYPE</u>	<u># OF EMPLOYEES</u>	<u>PAY BAND</u>
<i>OFFICE OF THE CITY MANAGER</i>			
City Manager	(NC)	(1)	By Contract
Assistant to the City Manager	(NC)	(1)	5
Human Resources Director	(NC)	(1) **	7
Clerk of Council/AAIL	(NC)	(1)	4
<i>ECONOMIC DEVELOPMENT DEPARTMENT</i>			
Economic Development Director	(NC)	(1)	7
<i>FINANCE DEPARTMENT</i>			
Finance Director	(NC)	(1)	By Contract
Assistant Finance Director	(C)	(1)	6
Utility Billing and Collections Supervisor	(C)	(1) **	6
Payroll and Benefits Specialist	(C)	(1)	5
Utility Collections Specialist II	(C)	(1)	4
Utility Collection Spec. I.	(C)	(1)	2
Accounting Specialist	(C)	(2)	4
Accounting Assistant	(C)	(1) **	2
<i>LAW DEPARTMENT</i>			
Law Director	(NC)	(1)	By Contract

****Authorized-not budgeted.**

PARKS & RECREATION DEPARTMENT

Parks & Recreation Director	(NC)	(1)	7
Recreation Programs Supervisor	(C)	(1)	5
Sports Activities Supervisor	(C)	(1)	5
Office Manager	(NC)	(1)	5
Receptionist	(C)	(1)	1
Custodian	(NC)	(1)	1
Recreation Programs Coordinator	(C)	(1) ***	3
Sports Coordinator	(C)	(1)	3

COMMUNITY DEVELOPMENT DEPARTMENT

Community Development Director	(NC)	(1)	7
Planner	(C)	(1)	6
Admin. Asst. to Director (Tech)	(NC)	(1)	5
Administrative Assistant II	(NC)	(2)	3

SAFETY DEPARTMENT - FIRE DIVISION

Fire Chief/Inspector	(NC)	(1)	7
Assistant Chief/Inspector	(NC)	(1)	6
Administrative Assistant II	(NC)	(1)	3

SAFETY DEPARTMENT - POLICE DIVISION

Police Chief	(NC)	(1)	7
Police Lieutenant	(C)	(2) *	By Contract
Police Sergeant	(C)	(6)	By Contract
Police Officer	(C)	(19) **	By Contract
Public Safety Assistant	(C)	(3)	By Contract
Police Records Specialist	(C)	(1)	By Contract
Public Safety Communications Officer	(C)	(9)	By Contract
Office Manager	(NC)	(1)	5
Assistant to the Chief (Tech)	(NC)	(1) ***	5
Properties Custodian	(C)	(1)	2
Parking Clerk	(NC)	(1)	2

SERVICE DEPARTMENT

Service Director	(NC)	(1)	7
Deputy Director	(C)	(1)	6
Environmental Specialist	(C)	(1)	5
Administrative Assistant III	(NC)	(1)	4
Custodian	(NC)	(1)	1

***Reduce to 2 Lieutenants.**

****19 Authorized – 18 Budgeted**

*****Authorized – not Budgeted**

ENGINEERING DIVISION

City Engineer	(C)	(1)	6
Engineer	(C)	(1) *	6
Engineer-in-training (EIT)	(C)	(1)	5
Engineering Aide	(C)	(1)	4

STREETS AND MAINTENANCE DIVISION

Streets and Maintenance Manager	(C)	(1)	6
Equipment Mechanic	(C)	(2) **	5
*authorized for two - budgeted for one			
Parks Maintenance Supervisor	(C)	(1)	5
Street Operations Specialist	(C)	(1)	4
Service Workers		(10) ***	

WASTEWATER DIVISION

Collection

Wastewater Collection Manager	(C)	(1)	6
Service Workers		(4)	

Plant

Wastewater Plant Manager	(C)	(1)	6
WWTP Laboratory Technician	(C)	(1)	3
Plant Mechanic II	(C)	(1)	4
Plant Mechanic I	(C)	(1)	3
Service Worker I	(NC)	(1)	1
WWTP Operators		(3)	

WATER DIVISION

Distribution

Water Distribution Manager	(C)	(1)	6
Service Workers		(4)	

Plant

Water Plant Manager	(C)	(1)	6
Utility Maintenance Technician	(C)	(1)	2
Utility Meter Reader	(NC)	(1)	1
Water Plant Operators		(2)	

***authorized-not budgeted**

****2 authorized - 1 budgeted**

*****10 authorized 9 budgeted**

TOTAL Full-Time Authorized Strength: 114 (123 authorized not budgeted)

NC = Non-Classified Employee

C = Classified Employee

SECTION 2: The compensation plan setting forth the range of base pay bands for each position title, being pay bands 1 through 7, is attached hereto (Attachment A) and incorporated herein as the Base Pay Band Provisions.

- A.** Adoption of this ordinance reflects a 0%(COLA) increase of all employees not covered by a collective bargaining agreement. The Finance Director, Law Director and City Manager shall also receive the same increase to their current base salaries.
- B.** The City Manager, except as otherwise provided in the charter, is authorized to establish the starting salary not to exceed the position's market midpoint.
- C.** The City Manager is hereby authorized to increase an employee's salary not to exceed 5.0% within the same position per calendar year.
- D.** The City Manager is hereby authorized to increase an employee's salary not to exceed the market midpoint of the new position when a promotion occurs where an employee moves to a higher job classification.
- E.** Employees who are below market midpoint will receive an additional 0% annual increase for 2011 provided they have a satisfactory performance evaluation.

SECTION 3: The following part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

<i>POSITION TITLE</i>	<i>AUTHORIZATION</i>	
	<i># OF</i>	<i>PAY</i>
	<i>EMPLOYEES</i>	<i>RATE</i>
<i>ADMINISTRATION</i>		
Receptionist	1	\$14.00/hr
Human Resources Director	1	\$40.1849/hr
<i>FINANCE DEPARTMENT</i>		
Accounting Assistant	1	\$14.00/hr
<i>PARKS & RECREATION DEPARTMENT</i>		
Park/Recreation Technician	5	\$11.00/hour
Program/Facility Coordinator	3	\$14.00/hour
Senior Program Coordinator	1	\$16.25/hour
<i>SERVICE DEPARTMENT</i>		
Laborers	4	\$12.00/hour
Streets & Maintenance Division		
Wastewater Collection		
Water Plant Operators	2	\$20.2528/hour
<i>SAFETY DEPARTMENT - FIRE DIVISION</i>		
Part-Time Firefighters/EMT's	30	\$14.50 /hr up to \$14.80
Firefighters and/or EMT's	64	\$14.50 /hr up to \$14.80
Fire Division Captains	3	\$15.50 up to \$15.80
Fire Division Lieutenants	3	\$15.00 up to \$15.30
		\$15.50 / \$15.80 /12-hr shift
		1 run \$31 / \$31.60 /24-hr
		shift 2 runs
<i>SAFETY DEPARTMENT - POLICE DIVISION</i>		
Assistant to the Chief-Parking &	1	\$39.1394/hr
Transportation		
Police Officer	6	contract base pay
Public Safety Assistant	3	contract base pay
Public Safety Communications Officer	4	contract base pay
Parking Interns	8*	\$14.00/hr
*Reimbursed		
TOTAL Part-Time Authorized Strength: 139		
<i>CITY-WIDE</i>		
Intern/Temporary Part-time		\$14.00/hour

SECTION 4: The following seasonal part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

<i>POSITION TITLE</i>	<i>AUTHORIZATION</i> <i># OF</i> <i><u>EMPLOYEES</u></i>	<i>PAY</i> <i><u>RATE</u></i>
<i>PARKS & RECREATION DEPARTMENT</i>		
Park/Recreation Technician	36	\$11.00/hour
Program/Facility Coordinator	3	\$14.00/hour
<i>SERVICE DEPARTMENT</i>		
<i>STREET DIVISION</i>		
Laborer	7	\$12.00/hour
<i>WASTEWATER DIVISION</i>		
<u>Plant</u>		
Laborer	1	\$12.00/hour
<u>Collections</u>		
Laborer	1	\$12.00/hour
<i>WATER DIVISION</i>		
<u>Plant</u>		
Laborer	1	\$12.00/hour

TOTAL Seasonal Part-Time Authorized Strength: 49

SECTION 5: Department Heads and Supervisory Employees.

- A. Defined.** The positions of City Manager, Finance Director, Law Director, Police Chief, Community Development Director, Service Director, Parks and Recreation Director, Fire Chief, Human Resource Director and Economic Development Director are department heads. These employees in addition to Assistant Finance Director, Deputy Service Director, Streets and Maintenance Manager, Wastewater Collection Manager, Water Distribution Manager, Water Plant Manager and Wastewater Plant Manager for the purposes of group life and accidental death and dismemberment, are considered supervisory employees.
- B. Overtime.** Department heads are salaried employees and are not entitled to overtime.

- C. **Vacation.** Department heads shall accrue vacation leave monthly at the following rates (except a first year department head who shall receive vacation accrual after the completion of the twelfth month):

After 12 months (1 year) - 120 hours
After 84 months (7 years) - 160 hours
After 156 months (13 years) - 200 hours

The City Manager is authorized to grant up to 80 hours of vacation leave during the first year of employment of a department head on the basis of extenuating circumstances.

The City Manager's vacation benefit shall be in accordance with the City Manager's contract.

- D. **Other Benefits and Provisions.** Except as superseded by the provisions of this section, department heads and supervisory employees shall be entitled to all other benefits and provisions of this ordinance applicable to full-time employees of the City of Oxford.

- E. **Sick Leave.** The Police Chief shall receive a bonus of \$310 per calendar quarter if he uses no sick leave during that quarter. If the Police Chief uses no sick leave for the calendar year, he shall receive an additional \$360. The bonus payment shall be issued at the end of each calendar quarter.

SECTION 6: General Provisions

- A. **Pay Periods.** Employees shall be paid bi-weekly. Pay days shall be on Friday, except when City offices are closed for a holiday on Friday, in which case payday shall be the last workday preceding the holiday.
- B. **Hours of Work.** Full-time, non-salaried employees' work week shall be forty hours. When directed by their supervisor to work overtime, such employees shall be compensated at the rate of one and one-half (1-1/2) times their base rate of pay for all hours actually worked in excess of forty hours per week. An employee who is called to work following the completion of their normal work day and one-half (1/2) or more hours prior to the commencement of their next normal work day shall receive a minimum of two (2) hours compensation for such call-in at one and one-half (1-1/2) times their normal rate.

C. **Emergency Appointments.** In case of civil unrest or other like emergency, the City Manager may appoint emergency police officers or other volunteer citizens as may be necessary for temporary service during the emergency and shall report this action to the City Council at its next meeting. Such emergency appointees shall be compensated for all time actually worked on behalf of the City.

D. **Firefighters.** Firefighters are paid according to the schedule in Section 3 hereof of part-time employees. A firefighter may receive a supplement equal to one-half their ordinary job wage if their employer does not continue pay while they are away from work attending to a fire.

No Paid-on-Call or Part-time firefighter may work in excess of fifteen hundred (1500) hours in any given Calendar year or in excess of one hundred-six (106) hours in any pay period.

Any hours worked in the employee's hired capacity or similar function to their hired capacity shall be calculated as total hours worked for that pay period and year. Performing other department sanctioned duties other than those for which the employee was hired shall not be included in total hours.

E. **Shift Differential Pay.** The applicable rate of shift differential for the entire shift worked will be determined by the applicable rate for the majority of the hours in an assigned shift. If an assigned shift is evenly divided between two rates, the higher rate shall be applicable to all hours of the shift worked. A full-time employee who is assigned by their supervisor to work a shift after 4:00 p.m. and before 8:00 a.m. shall receive shift differential pay for all hours worked. The differential shall be twenty-five cents (\$0.25) per hour for all hours of a shift actually worked after 4:00 p.m. and before 12:00 midnight. The differential shall be forty-five cents (\$0.45) per hour for all hours of a shift actually worked after 12:00 midnight and before 8:00 a.m. Shift differential will be paid at its normal rate for scheduled hours worked on a holiday in addition to holiday pay. Overtime may be incurred for the work week (over 40 hours) attributable to working during a shift differential period (defined above). For purposes of calculating overtime pay, the base pay rate shall include the hourly shift differential amount. The shift differential rate used for overtime calculation will be the same rate used for shift differential as determined per the guidelines above.

SECTION 7: Employee Benefits

- A. **Uniforms.** The Police Chief shall receive credit in the same manner as the Detective Sergeant as specified in the Police Sergeants and Lieutenants contract.

The City shall provide full-time employees in the Service Department and the Parks & Recreation Department, who wear a uniform in the performance of their duties, with a uniform rental service.

- B. **Sick leave.** Sick leave shall be earned by all full-time employees at the rate of ten (10) hours per month and may be accumulated without maximum. Previously accumulated sick leave may be transferred as allowed by law. Under extraordinary circumstances, the City Manager may approve the transfer of sick leave credits from one City employee to another.

- C. **Sick Leave Incentive.** A full-time, non-contract employee shall receive an incentive of two hundred dollars (\$200.00) per calendar quarter if the employee uses no sick leave during that quarter. Use of any hours, including partial hours, of sick leave will result in the employee receiving no payment for that quarter. Any employee who uses no sick leave for a calendar year shall receive an additional two hundred dollar (\$200.00) incentive. The employee shall receive all such incentive payments at the end of each calendar quarter. Any payment shall reflect applicable federal, state, and local withholdings. Sick leave used for recuperative leave as defined in the Employee Handbook shall not be considered sick leave used for purposes of this paragraph.

As a part of the sick leave incentive, as of December 31, 2007, those employees having a sick leave balance will have those hours banked. Future accruals will not be added to the hours banked, however, all banked hours and any accruals will continue to show on the individuals pay stub to be used should the hours be needed for illness. The banked hours will be held until retirement, death or lay-off, at which time not more than 1200 banked hours may be converted to vacation time at the ratio of one-to-one for the first three hundred hours and three-to-one for the remaining nine hundred hours.

- D. **Sick leave conversion.** Prior to retirement, an employee with a banked sick leave balance of 280 hours up to a maximum of 1200 hours may convert the balance to vacation or pay at a rate of 5:1. However, there must be 240 hours remaining, and such conversion may only be made by written application to the Finance Department during the month of April, and pay, when requested, will be made on or before May 20th. Should an employee on lay-off (who has converted

sick leave to vacation) return to City employment, they may within one year of reinstatement repurchase their accumulated sick leave by repaying at the same rate as the pay-off. Such repayment may be in cash, by payroll deduction or use of newly accumulated vacation time.

- E. Funeral Leave.** Full-time employees will be permitted to use up to three (3) days funeral leave per calendar year for such time as may be reasonably needed for the purpose of attending the funeral of a member of their immediate family. After exhausting this annual allowance, an employee will be permitted to use up to three (3) days of sick leave as may be reasonably needed for the purpose of attending the funeral of a member of their immediate family. In no case shall an employee use more than a combined total of three (3) days funeral and/or sick leave for a single funeral. Immediate family shall be construed to mean spouse, child, parent, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparent, spouse's grandparent or grandchild. Leave of absence without pay is allowed for other funerals when approved by the employee's supervisor.
- F. Payment of Health Insurance Premiums.** For each full-time, employee (forty hours per week) and Law Director who participates in the City group medical insurance programs, the City will pay nine hundred fifty dollars (\$950.00) per month per employee during the effective period of this Ordinance for health/medical insurance, major medical, prescription insurance, dental insurance and vision care insurance. The Employee will pay \$12.87 for single coverage and \$29.61 for family coverage, each pay period, with deductions being made from gross pay before taxes resulting in the cost being reduced to \$9.27 for single and \$21.32 for family.
- G. Holiday Schedule.** There shall be fourteen (14) paid holidays for full-time employees as follows:

New Year's Day (January 1)
Martin Luther King, Jr. Day (third Monday in January)
Washington/Lincoln Day (third Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4)
Labor Day (first Monday in September)
Thanksgiving Day (fourth Thursday in November)
Day after Thanksgiving
Christmas Eve Day (The day preceding or following
Christmas Day holiday as designated by the City
Manager)
Christmas Day (December 25)
Four (4) Personal Days - 32 Hours

New employees hired during the year shall have their Personal Hours pro-rated based on initial hire date. With the exception of employees who work a continuous schedule, holidays falling on a Saturday shall be observed on the preceding Friday and holidays falling on a Sunday shall be observed on the following Monday.

- H. Pay for Work on Certain Holidays.** Any full-time employee, department heads excluded, who is required by the employee's supervisor to work on a designated holiday as a part of the employee's regularly scheduled duty and within the employee's normal hours of work shall receive pay in an amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked by the employee between the hours of 12:01 a.m. and 12:00 midnight, inclusive, on the designated holiday. When such an employee works on a holiday, the employee shall be entitled to an additional day off in lieu of the holiday.

Employees called to work on a designated holiday (to perform a special project or emergency repair) may receive pay in the amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked on the holiday in addition to the eight hours straight time pay for the holiday at the discretion of the City Manager.

When a calendar holiday falls on either weekend day(s) (including Christmas Eve and Christmas), the following rules apply:

- a) If an employee works the designated holiday, the employee is entitled to:
 - 1) One and one-half (1-1/2) times their base hourly rate for the hours worked, and
 - 2) a paid day to be taken at another time.
- b) If an employee works a true calendar holiday(s) that falls on Saturday or Sunday, the employee is entitled to pay at one and one-half (1-1/2) times the base hourly rate for the hours worked.

I. Group Life and Accidental Death and Dismemberment Insurance.

The City will pay 100% of the premium for these fringe benefits for coverage in an amount equal to the employee's annual base salary, except that the amount of the insurance coverage provided will be subject to a reduction schedule included in the group policy. Such reductions generally begin at age 65 and are subject to ADEA regulations. These fringe benefits apply only to full-time employees working at least forty (40) hours per week and the Law Director. The City will pay 100% of the premium group life insurance

coverage on the Police Chief in an amount equal to one and one-half(1-1/2)times the Police Chief's annual salary.

For each firefighter, the City will pay 100% of the premium for a Firefighter's Accident Policy, not to exceed \$10,000 in insurance coverage.

J. Longevity Bonus Pay. Longevity Bonus Pay will only be paid to eligible employees who accrue the required years of service on or before December 31, 2011 and are full-time employees of the City on or before December 31, 2011. To be eligible for Longevity Bonus Pay an employee must meet both requirements.

No partial or proportionate Longevity Bonus Pay will be paid. An employee shall accrue one year of service for twelve consecutive months of full-time employment. Part-time employees who become full-time employees may use hours worked as a part-time employee towards years of credit. Credit will not be given for partial years of service.

Full-time employees who leave the City's employment and are eligible to receive longevity pay based on the anniversary date in 2011 shall be given the appropriate longevity payment with final pay. All other eligible employees will receive Longevity Bonus pay in November 2011. All eligible full-time employees shall be paid in accordance with the following schedule. Contract employees shall be paid according to the appropriate contracts. The Chief of Police shall be paid longevity according to the current schedule in the Police Supervisors' contract.

After 5 years - \$450	After 18 years - \$775
After 6 years - \$475	After 19 years - \$800
After 7 years - \$500	After 20 years - \$825
After 8 years - \$525	After 21 years - \$850
After 9 years - \$550	After 22 years - \$875
After 10 years - \$575	After 23 years - \$900
After 11 years - \$600	After 24 years - \$925
After 12 years - \$625	After 25 years - \$950
After 13 years - \$650	After 26 years - \$975
After 14 years - \$675	After 27 years - \$1000
After 15 years - \$700	After 28 years - \$1025
After 16 years - \$725	After 29 years - \$1050
After 17 years - \$750	After 30 years - \$1075

K. Vacation. An employee shall accrue vacation monthly at the following rate unless otherwise covered by a collective bargaining unit(except a first year employee who shall receive the employee's vacation accrual after the completion of the twelfth month):

After 12 months	(1 year)	-	80 hours
After 24 months	(2 years)	-	88 hours
After 48 months	(4 years)	-	96 hours
After 60 months	(5 years)	-	104 hours
After 72 months	(6 years)	-	112 hours
After 84 months	(7 years)	-	120 hours
After 96 months	(8 years)	-	128 hours
After 108 months	(9 years)	-	136 hours
After 120 months	(10 years)	-	144 hours
After 132 months	(11 years)	-	152 hours
After 144 months	(12 years)	-	160 hours
After 156 months	(13 years)	-	168 hours
After 168 months	(14 years)	-	176 hours
After 180 months	(15 years)	-	184 hours
After 192 months	(16 years)	-	192 hours
After 204 months	(17 years)	-	200 hours

The City Manager is authorized to grant up to 40 hours of the employee's vacation leave to be used in advance of their first year anniversary on the basis of extenuating circumstances.

L.Reimbursement. Employees authorized and required by the assigned supervisor to drive personal vehicles on official City business shall be reimbursed for actual miles driven at the IRS standard mileage rate in effect. Employees who are out of the City on official business or at authorized training functions shall be reimbursed for meals at the actual meal cost not to exceed IRS recognized per diem rate including those rates for high cost cities (receipts are required). The City Manager is authorized to adopt specific procedures regarding travel reimbursement.

SECTION 8: Disability Income Continuation Benefit

Each full-time employee of the City of Oxford, who is disabled to the extent that the employee cannot perform regular duties as a result of injuries sustained in an identifiable incident while in the course of public employment with the City, not through the employee's own negligence, shall after exhaustion of the employee's accumulated sick leave, continue to receive, for a period not to exceed one calendar year from the date of sick leave exhaustion, an amount of compensation equivalent to the employee's full salary less any and all funds received from all public or private agencies by way of pension, compensation or indemnity for such disability. The employee shall make application for "Temporary Total" disability compensation under Workers' Compensation law of Ohio. Provided that where the

disability is of a type or nature which will prevent the employee from returning to municipal employment, the employee shall apply for such available benefits of said funds or money that may accrue to the employee and be payable from the Public Employees Retirement System or Police and Fire Pension Fund. Provided further, that in the case of firefighters, the initial determination and recommendation of compensation shall be made by the Firefighters Dependents Board. The City Manager shall cause the employee to be examined, by a physician of the City's choice, to determine the extent of the disability and may require subsequent examinations during the period of disability.

SECTION 9: Applicability

Irrespective of any language or wording herein above, this ordinance shall not be, and no provision or portion hereof shall be, applicable to any employee of the City of Oxford employed pursuant to a written contract relative to wages and working conditions. This entire ordinance is effective and applicable only as to employees whose employment is not covered pursuant to the terms and conditions of a written contract with the City.

SECTION 10: Repeal of Conflicting Ordinances

All other ordinances and resolutions or parts of ordinances and resolutions in conflict with the provisions of this ordinance be and the same are hereby repealed.

ATTACHMENT A
CITY OF OXFORD OHIO
PAY BANDS (2011)

	<u>MINIMUM</u>	<u>MAXIMUM</u>	
<i>PAY BAND 7</i>			
Annual	\$61,544.00	\$99,514.00	101,504
Hourly	\$29.5884	\$47.8432	48.8001
<i>PAY BAND 6</i>			
Annual	\$47,864.00	\$76,452.00	77,981
Hourly	\$23.0115	\$36.7557	37.4908
<i>PAY BAND 5</i>			
Annual	\$41,010.00	\$62,159.00	63,402
Hourly	\$19.7163	\$29.8841	30.4818
<i>PAY BAND 4</i>			
Annual	\$36,043.00	\$52,562.00	53,613
Hourly	\$17.3283	\$25.2701	25.7755
<i>PAY BAND 3</i>			
Annual	\$32,657.00	\$49,519.00	50,509
Hourly	\$15.7004	\$23.8072	24.2833
<i>PAY BAND 2</i>			
Annual	\$30,551.00	\$44,597.00	45,489
Hourly	\$14.6879	\$21.4408	21.8696
<i>PAY BAND 1</i>			
Annual	\$27,609.00	\$40,279.00	41,085
Hourly	\$13.2735	\$19.3649	19.7522

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: June 21, 2011

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 13, 2011

Date Prepared

Agenda Title: An Ordinance Approving The Vacation Of The Alley Right-Of-Way Running North-South Between East Church Street And East High Street; Between Tallawanda Road And Bishop Street.

Recommendation:

Discussion:

Miami University has plans for a building construction project on the parking lot at the northwest corner of Tallawanda Road and High Street. They would like the City to vacate the alley next to the parking lot running north and south between Church and High Streets. Miami University owns property on both side of the alley. There are no City utility issues involved in this vacation. Miami University has signed a vacation petition and has had the plat map and legal description prepared for the proposed alley vacation.

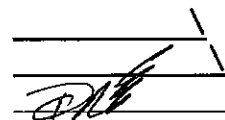
Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 6-17-11

ORDINANCE NO.

ORDINANCE APPROVING THE VACATION OF THE ALLEY RIGHT-OF-WAY
RUNNING NORTH-SOUTH BETWEEN EAST CHURCH STREET AND EAST HIGH
STREET; BETWEEN TALLAWANDA ROAD AND BISHOP STREET.

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

SECTION 1: Council hereby finds that the Board of
Trustees of Miami University has petitioned the City of Oxford
to vacate the alley running north-south between East Church
Street and East High Street; between Tallawanda Road and Bishop
Street to facilitate a construction project at the northwest
corner of Tallawanda Road.

SECTION 2: Council hereby accepts the petition from the
Board of Trustees of Miami University and further finds there is
good cause for vacation of the alley and said vacation is not
detrimental to the general interest of the public.

SECTION 3: Council hereby orders the alley which runs
north-south from East Church Street to East High Street, between
Tallawanda Road and Bishop Street be vacated.

SECTION 4: The petitioner has prepared a vacation plat
of said vacated alley; the Clerk of Council is instructed to
endorse upon such plat the action of this Council in vacating
such portions of said alley; and to cause the applicant to have
said plat recorded at the office of the Recorder of Butler
County, Ohio.

SECTION 5: 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)

PETITION TO THE CITY OF OXFORD TO VACATE THE ALLEY
RIGHT-OF-WAY RUNNING NORTH-SOUTH
BETWEEN EAST CHURCH STREET AND EAST HIGH STREET;
BETWEEN TALLAWANDA ROAD AND BISHOP STREET

TO: Oxford City Council

FILED ON BEHALF OF PETITIONERS:

Board of Trustees of Miami University (Hereinafter referred to as "Owner")

Board of Trustees of Miami University being the contiguous fee simple titled Owner of the real estate abutting the alley more fully described in Exhibit "A", attached hereto, petition the legislative authority of the City of Oxford, Ohio, being the Oxford City Council, pursuant to the provisions of Section 723.04, et seq., of the Ohio Revised Code, to vacate the alley designated on the plat, a copy of which is attached hereto as Exhibit "B". This petition, in addition to being filed under the authority of Section 723.04, et seq., of the Ohio Revised Code sets forth the following supporting reasons for the vacation:

1. The vacation of the alley will facilitate a construction project at the northwest corner of Tallawanda Road.
2. The vacation of this portion of the street is not detrimental to the general interest of the City of Oxford, Ohio, and its residents.
3. The undersigned is the Owner of all lots abutting the aforementioned alley.

Pursuant to Section 723.06 Ohio Revised Code, Petitioner, being the Owner of all contiguous real estate and having given written consent to the vacation, moves this Council to dispense with the notification of the intent to vacate.

Wherefore, Owner respectfully moves City Council as legislative authority for the City of Oxford to vacate the subject alley, all rights and interests therein, and to declare such alley portion, by ordinance, vacated.

Respectfully Submitted,

BOARD OF TRUSTEES OF
MIAMI UNIVERSITY

By: _____

Title: _____

St. O. Ryder
Secretary to Board of Trustees
Miami University

Exhibit "A"

Date: June 6, 2011
Description: 16.00' Alley Vacation
Between Lot #292 & Lot #293
Location: City of Oxford
Butler County, Ohio



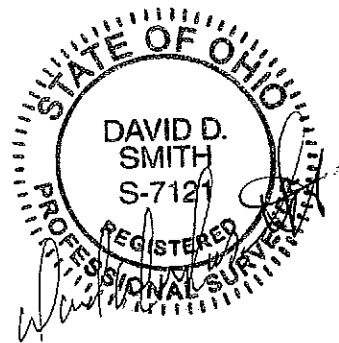
Situated in the City of Oxford, Butler County, Ohio, being adjacent to Lot #292 and Lot #293 of said City of Oxford and being a 16.00 foot alley and being more particularly described as follows:

Beginning at the southeast corner of Lot #292, said point being on the north right of way of East High Street; thence with the east line of said Lot #292 North 02°34'18" East, 304.19 feet to the south right of way of East Church Street;

thence with said south right of way of East Church Street, South 87°54'50" East, 16.00 feet to the northwest corner of said Lot #293;

thence with the west line of said Lot #293 South 02°34'18" West, 304.27 feet to the north right of way of East High Street;

thence with said north right of way of East High Street, North 87°37'43" West, 16.00 feet to the point of beginning, containing 0.112 acres or 4,868 square feet of land more or less and being subject to all legal highways, easements, restrictions and agreements of record.



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Page 1 of 1

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

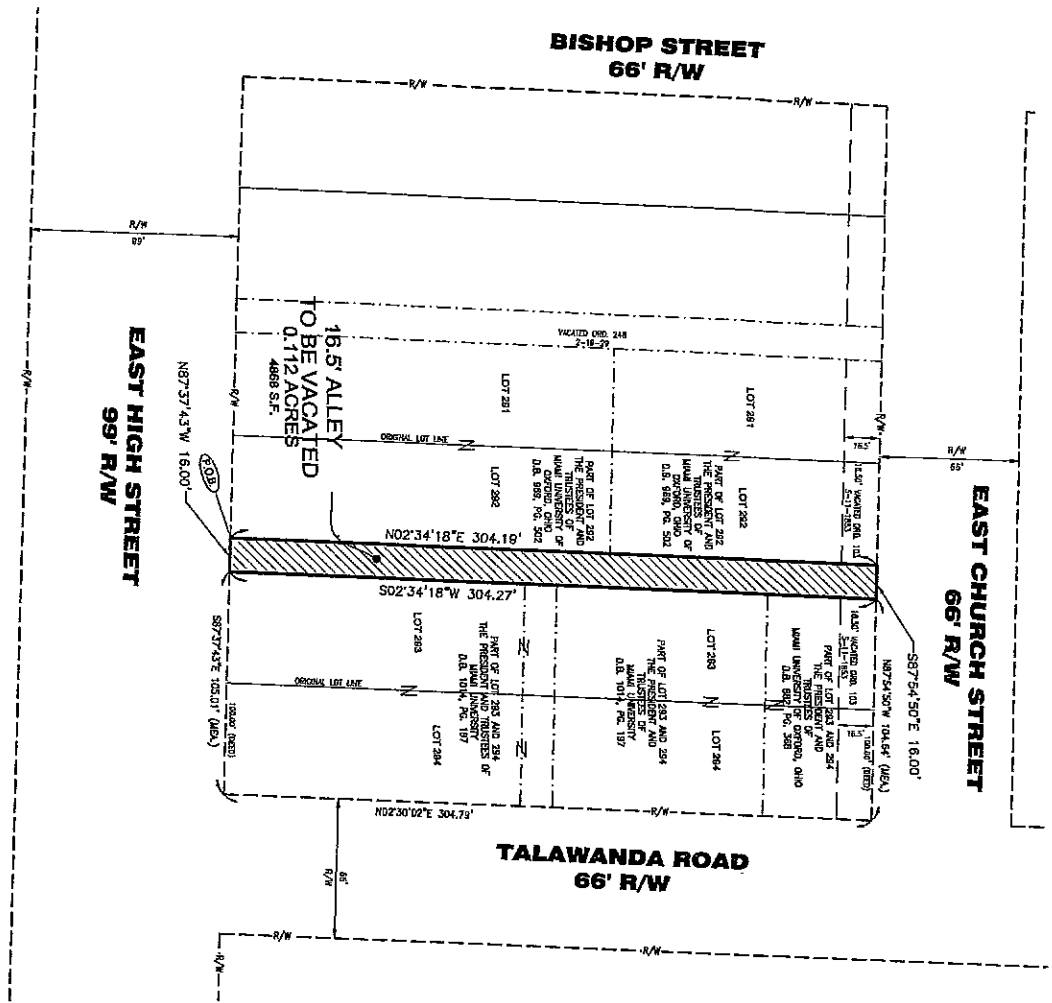
209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

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

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

Engineering – Surveying – Landscape Architecture – Planning
www.bayerbecker.com

Exhibit "B"



ORDINANCE NO. _____
 PASSED BY OXFORD CITY
 COUNCIL _____

MAYOR _____
 CLERK OF COUNCIL _____

THIS PLAT IS NOT THE RESULT OF A FIELD
 SURVEY; IT IS COMPILED FROM EXISTING
 RECORDS AND PREVIOUS MEASUREMENTS.
 4/8/11
 DAVID DOUGLAS SMITH OHIO REG. NO. 7121

DRE 4/7/11

ORDINANCE NO.

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT
PAGES TO THE OXFORD CODIFIED ORDINANCES.

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

SECTION 1: Council has determined that certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution. Various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances. The City has heretofore entered into a contract with Walter H. Drane Co. to prepare and publish revisions which are before Council.

SECTION 2: The Ordinances of the City of Oxford, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2010 Replacement Pages so the Codified Ordinances are hereby approved and adopted.

SECTION 3: The following sections and chapters are hereby added, amended or repealed and respectfully indicated in order to comply with the current State law:

Traffic Code

333.01	Driving or Physical Control While Under the Influence. (Amended)
335.01	Driver's License or Commercial Driver's License Required. (Amended)
335.02	Permitting Operation Without a Valid License. (Amended)
335.07	Driving Under License Suspension or Restriction. (Amended)
335.12	Stopping After Accident Upon Streets. (Amended)
335.13	Stopping After Accident Upon Property Other Than Street. (Amended)
337.28	Use of Sunscreening Materials. (Amended)
337.29	Bumper Heights. (Amended)

General Offenses Code

501.01	Definitions. (Amended)
501.13	Conspiracy. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
517.01	Gambling Definitions. (Amended)
517.02	Gambling. (Amended)
517.06	Methods of Conducting a Bingo Game. (Amended)
517.07	Instant Bingo Conduct. (Amended)
529.07	Open Container Prohibited. (Amended)
537.10	Telecommunications Harassment. (Amended)
537.11	Threatening or Harassing Telephone Calls. (Repealed)
537.12	Misuse of 9-1-1 System. (Amended)

Fire Prevention Code

1519.04	Possession, Sale or Discharge Prohibited. (Amended)
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SECTION 4: The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are attached hereto and incorporated herein by reference as Exhibit A. Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 5: This Ordinance 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)