



Agenda

Oxford City Council

Court House

TUESDAY, JULY 7, 2009

EXECUTIVE SESSION

7:00 P.M.

1. Roll Call. Prudence Z. Dana, Mayor; Ken Bogard, Vice-Mayor; Doug Ross; Kate Currie; Alysia Fischer; Richard Keebler; 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 - Bicentennial Logos - Carole Katz and Molly Monson.
- B. Presentation - Council on Aging of Southwestern Ohio - Ken Wilson and Dr. Jane Straker.
- C. Appointments to Boards and Commissions.
- D. 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 2, 2009 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)



Minutes

- B. Report regarding the June 24, 2009 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- C. A Resolution authorizing the City Manager to sign Preliminary Legislation and other contracts with the Ohio Department of Transportation to complete the construction of the multi-use path at Oxford Community Park. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- D. A Resolution authorizing the City Manager to enter into a contract with Ameritcon, Inc. for the improvement of primary clarifier tank drive mechanisms at the Wastewater Treatment Plant per City Specifications at a cost of \$99,774.00 plus a ten percent contingency in the amount of \$9,977.40 for a total cost not to exceed \$109,751.40. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- E. A Resolution authorizing the Chief of Police and Finance Director to dispose of contraband no longer needed as evidence. (Steve Schwein, Police Chief)



Staff Report/Resolution



Attachment "A"

- F. A Resolution authorizing the Oxford Police Division to retain for use by the Municipality certain unclaimed property in its possession. (Steve Schwein, Police Chief)



Staff Report/Resolution

- G. A Resolution authorizing the Oxford Police Division to return for deposit certain seized property in its possession. (Steve Schwein, Police Chief)



Staff Report/Resolution

- H. A Resolution to accept a gift of a set of 'X-Struts' from the Oxford Community Foundation. (John Detherage, Fire Chief)



Staff Report/Resolution

- I. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, August 21, 2009, from 8:00 p.m. to 12:00 a.m. at Cook Field on Miami's Campus for an After Dark, and Campus Activities Council sponsored concert. (Doug Elliott, City Manager)



Staff Report/Resolution

- J. A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, September 18, 2009, from 10:00 p.m. to 2:00 a.m. on the patio at the Shriver Center on Miami's Campus for an After Dark and Program Board sponsored party. (Doug Elliott, City Manager)



Staff Report/Resolution

- K. A Resolution by the Oxford City Council Appointing _____ as Clerk of Council for the City of Oxford. (Doug Elliott, City Manager)



Staff Report/Resolution

5. Resolutions

- A. A Resolution by City Council authorizing the City Manager to enter into an interlocal agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford, Ohio to jointly apply for the 2009 Edward Byrne Justice Assistance Grant ('JAG') Program Award. (Steve Schwein, Police Chief).



Staff Report/Resolution

- B. A Resolution by the Oxford City Council, Butler County, State of Ohio, declaring the intent of the City of Oxford to appropriate real property located on Oxford College Corner Road near Todd Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, Service Director).



Staff Report/Resolution



Attachment

- C. A Resolution by the Oxford City Council, Butler County, State of Ohio, declaring the intent of the City of Oxford to appropriate real property located at and near 5495 Oxford College Corner Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, Service Manager)



Resolution



Attachment

- D. A Resolution by the Oxford City Council, Butler County, State of Ohio, declaring the intent of the City of Oxford to appropriate real property located at 5735 Oxford College Corner Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, City Manager)



Resolution



Attachment

- E. A Resolution by the Oxford City Council, Butler County, State of Ohio, declaring the intent of the City of Oxford to appropriate real property located at and near 5500 Oxford College Corner Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, Service Director)



Resolution



Attachment

- F. A Resolution by the Oxford City Council, Butler County, State of Ohio, declaring the intent of the City of Oxford to appropriate real property located at the corner of College Corner Road and Todd Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, Service Director)



Resolution



Attachment

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

- A. First Reading.

1. An Ordinance To Appropriate To Public Use, All Right Title And Interest In A Certain Parcel Of Property Located On Oxford College Corner Road Near Todd Road For The Purpose Of Permanent Rights-Of-Way And Temporary Construction Easements And Declaring An Emergency. (Mike Dreisbach, Service Director)



Staff Report/Ordinance



Attachment

2. An Ordinance To Appropriate To Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At And Near 5495 Oxford College Corner Road For The Purpose Of Permanent Rights-Of-Way And Temporary Construction Easements And Declaring An Emergency. (Mike Dreisbach, Service Director)



Ordinance



Attachment

3. An Ordinance To Appropriate To Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At 5735 Oxford College Corner Road For The Purpose Of Permanent Rights-Of-Way And Temporary Construction Easements And Declaring An Emergency. (Mike Dreisbach, Service Director)



Ordinance



Attachment

4. An Ordinance To Appropriate To Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At And Near 5500 Oxford College Corner Road For The Purpose Of Permanent Rights-Of-Way And Temporary Construction Easements And Declaring An Emergency. (Mike Dreisbach, Service Director)



Ordinance



Attachment

5. An Ordinance To Appropriate To Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At The Corner Of Oxford College Corner Road And Todd Road For The Purpose Of Permanent Rights-Of-Way And Temporary Construction Easements And Declaring An Emergency. (Mike Dreisbach, Service Director)



Ordinance



Attachment

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



Staff Report/Ordinance

7. An Ordinance Amending Ordinance No. 3033. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Approving A Conditional Use Permit For An Automobile Rental Business In The General Business (GB) District At 5017 College Corner Pike, Oxford,

Ohio, with a condition. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Amending Zoning Code Section 1147.02 Issuance And Revocation Of Conditional Use Permit, Zoning Code Section 1147.03 Use Specific Regulations And Potential Concerns And Section 1159.07(10) Definitions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Repealing Zoning Code Chapter 1133 Provisions For Zoning Districts And Chapter 1143 Districts And Adopting New Chapter 1133, Provisions For Zoning Districts And Chapter 1143 Districts To Add The Historic District Overlay To The Establishment Of Zoning Districts And To Add Cross References To The Codified Ordinance Chapter 1331 Historic & Architectural Preservation, Specifically To The Site Development Regulations Of The R1MS, R2MS, R3MS, RO, UP And MU Districts, For Those Properties In The Historic District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Repealing Zoning Code Chapter 1151 Signs, and Adopting New Chapter 1151 Signs, To Modify Temporary Sign Regulations And To Add Cross References To The Codified Ordinance Chapter 1331, Historic And Architectural Preservation. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

5. An Ordinance Repealing Chapter 25, Graphics, Signage, & Building Identification Of The Design Guidelines For The City Of Oxford's Historic Districts And Adopting New Chapter 25, Graphics, Signage, & Building Identification Of The Design Guidelines For The City Of Oxford's Historic Districts. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

7. Announcements and Communications. The comments expressed by individual members of Council or City staff during the 'Announcements' 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.

A. Announcements.

1. Remarks from City Council and City staff.

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

MON - July 13 Council Sub-Committee/ Trustees Meeting 7:00 p.m. Oxford Township Building 925 Collins Run Road

TUES - July 14 Planning Commission Work Session 6:15 p.m.

TUES - July 14 Planning Commission Meeting 7:30 p.m.

WED - July 15 Board of Zoning Appeals Meeting 7:30 p.m. Cancelled

FRI - July 17 Community Improvement Corporation Meeting 12:00 p.m.
Cancelled

MON - July 20 Board of Zoning Appeals Special Meeting 7:30 p.m.

MON - July 20 Housing Advisory Commission 7:00 p.m. Municipal Building 2nd
Floor Conference Room

TUES - July 21 City Council Meeting 7:30 p.m.

WED - July 22 Civil Service Commission Meeting 7:00 p.m. Cancelled

WED - July 22 Environmental Commission Meeting 7:00 p.m. Municipal Building
2nd Floor Conference Room

TUES - Aug 4 City Council Meeting 7:30 p.m.

WED - Aug 5 Historic and Architectural Preservation Commission Meeting 7:30
p.m.

TUES - Aug 11 Planning Commission Meeting 7:30 p.m.

MON - Aug 17 Housing Advisory Commission Meeting 7:00 p.m. Municipal
Building

TUES - Aug 18 City Council Meeting 7:30 p.m.

WED - Aug 19 Board of Zoning Appeals Meeting 7:30 p.m.

FRI - Aug 21 Community Improvement Corporation Meeting 12:00 p.m. LCNB
2nd

WED - Aug 26 Environmental Commission Meeting 7:00 p.m. Municipal Building
2nd

8. Adjourn

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: June 2, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

May 19, 2009
Date Prepared

Agenda Title:	PC-07-2009 ZONING CODE TEXT AMENDMENT , Chapter 1133 Provisions for Zoning District and Chapter 1143 Districts, to add the Historic District overlay to the establishment of zoning districts and to add cross references to the Codified Ordinance Chapter 1331 Historic and Architectural Preservation, specifically to the site development regulations of the R1MS, R2MS, R3MS, RO, UP and MU Districts for those properties in the Historic District, City of Oxford, Applicant.
----------------------	---

Recommendation:	Approve
------------------------	----------------

Discussion:

In an effort to make Applicants more aware that HAPC guidelines exist, the HAPC requests that cross-references to the HAPC guidelines be added to the zoning code. The first amendment includes officially listing the Historic District as an Overlay under Chapter 1133.01. This addition is basically a housekeeping issue and is nothing new that isn't currently being applied. The second addition of the proposed cross-referencing would be inserted under the Compliance with Regulations provisions of establishing the zoning districts in Chapter 1133.02 as a new item (h). The third language addition would be added under the "Site Development Regulations" of individual zoning districts that fall within the three HAPC Historic Districts. The intent *is not* that the HAPC guidelines would apply to the entire zoning district, but only reference those properties that are in the Historic District also subject to HAPC review.

The Planning Commission is recommending approval of this draft language with a minor modification to appropriately refer to the "Historic District Overlay" instead of the "Historic Architectural Preservation District". The draft ordinance has been modified to show the Planning Commission's recommendations.

Approved By:

Department Head:

City Attorney:

A. **City Manager:**

Initial Date

JHC | 5/21/09

AB | 5/29/09

ORDINANCE NO. _____

ORDINANCE REPEALING ZONING CODE CHAPTER 1133 PROVISIONS FOR ZONING DISTRICTS AND CHAPTER 1143 DISTRICTS ADOPTING NEW CHAPTER 1133, PROVISIONS FOR ZONING DISTRICTS AND CHAPTER 1143 DISTRICTS TO ADD THE HISTORIC DISTRICT OVERLAY TO THE ESTABLISHMENT OF ZONING DISTRICTS AND TO ADD CROSS REFERENCES TO THE CODIFIED ORDINANCE CHAPTER 1331 HISTORIC & ARCHITECTURAL PRESERVATION, SPECIFICALLY TO THE SITE DEVELOPMENT REGULATIONS OF THE R1MS, R2MS, R3MS, RO, UP AND MU DISTRICTS, FOR THOSE PROPERTIES IN THE HISTORIC DISTRICT.

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 May 12, 2009 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1133 Provisions for Zoning Districts and Chapter 1143 Districts, and adopting new Chapter 1133 Provisions for Zoning Districts to add the Historic District Overlay to the establishment of Zoning Districts and adopting new Chapter 1143 Districts, to add cross reference to the Codified Ordinance Chapter 1331 Historic and Architectural Preservation to the site development regulations of the R1MS, R2MS, R3MS, RO, UP and MU Zoning Districts for those properties in the Historic District.

SECTION II: Council hereby repeals Chapter 1133 and Chapter 1143 of the Oxford Code of Ordinances and adopts new Chapter 1133 and Chapter 1143 as follows:

**CHAPTER 1133
Provisions for Zoning Districts**

1133.01	Establishment of Zoning Districts.	1133.03	Essential services Exempted.
1133.02	Compliance with regulations.	1133.04	Zoning districts for newly annexed territory.

1133.01 ESTABLISHMENT OF ZONING DISTRICTS.

(a) For the purpose of promoting the public health, safety and general welfare of the City of Oxford, Ohio the following districts are hereby established:

<u>Abbreviated</u>	<u>Term District Name</u>	<u>District Type</u>
R-1A	Single-Family Low Density Residential	Residential
R-1B	Single-Family Medium Density Residential	Residential
R-2A	Single- and Two-Family Residential	Residential
R-3	Multi-Family Residential	Residential
R-1MS	Single-Family Mile-Square Residential	Residential
R-2MS	Single- and Two-Family Mile-Square Residential	Residential
R-3MS	Single-, Two-Family, & Three-Family Mile-Square Residential	Residential
RMH	Planned Mobile & Manufactured Home	Residential
RO	Office Residential	Residential
MU	University	Residential
UP	Uptown	Commercial
GB	General Business	Commercial

OI	Office & Light Industrial	Industrial
LI	Light Industrial	Industrial
FP	Flood Plain	Overlay
MSO	Mile Square Overlay	Overlay
HDO	Historic District Overlay	Overlay

(b) In this Code and in all matters relating to this Code, the abbreviated terms shall be construed to have the same meaning as their corresponding district titles.
(Ord. 2782. Passed 5-20-03; Ord. 2838. Passed 2-15-05.)

1133.02 COMPLIANCE WITH REGULATIONS.

The regulations for each district set forth by this Ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

- (a) A use not listed within the use provisions of a zoning district shall be prohibited.
- (b) A use not provided for in a zoning district shall be prohibited unless the activity is deemed to be like in kind and similar to the uses allowed in the district and consistent with the intent of the district as interpreted by the Zoning Administrator.
- (c) No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, moved, converted, enlarged, reconstructed, structurally altered except in conformity with all of the regulations for the district in which it is located.
- (d) No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, except for a purpose permitted in the district in which the building or land is located to provide for greater lot coverage, height or bulk.
- (e) No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements set forth herein.
- (f) No land, building or structure in any district shall be used or occupied in any manner as to create or maintain a nuisance. Any structure or use that is in violation of this Code and that is established after the adoption of this Ordinance shall be considered a public nuisance.
- (g) In any district, no more than one primary structure and its customary accessory use shall be located on a single recorded lot except as specifically provided elsewhere in this Ordinance. (Ord. 2782. Passed 5-20-03.)

(h) Any parcel, property or structure that is within the Historic District Overlay shall consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

1133.03 ESSENTIAL SERVICES EXEMPTED.

- (a) Agencies providing essential services shall make reasonable efforts to comply with the standards of this Zoning Code. If compliance with this code prevents the efficient and effective provision of the service, the standards of this Code may be waived by the City Manager.
- (b) The location of such facilities shall be approved by the City Engineer. In residential subdivision and Planned Developments, such facilities shall be shown on the plans.
(Ord.2782. Passed 5-20-03.)

1133.04 ZONING DISTRICTS FOR NEWLY ANNEXED TERRITORY.

The zoning district for the property annexed to the City shall be subject to the annexation agreement between the City and the applicant. (Ord. 2929. Passed 10-17-06.)

CHAPTER 1143
Districts

1143.01	R-1A Single-Family Low-Density Residential District.	1143.08	R-MH Planned Mobile and Manufactured
Home			
1143.02	R-1B Single-Family Medium-Density Residential District.		Residential District.
1143.03	R-1MS Single-Family Residential Mile-Square District.	1143.09	RO Office Residential District.
1143.04	R-2A Single- and Two-Family Residential District.	1143.10	UP Uptown District.
1143.05	R-2MS Single- and Two-Family Mile-Square Residential District.	1143.11	MU University District.
1143.06	R-3 Multi-Family Residential District.	1143.12	GB General Business District.
1143.07	R-3MS Single- , Two- and Three-Family Mile-Square Residential District.	1143.13	OI Office & Light Industrial District
		1143.14	LI Light Industrial District.

1143.03	R1MS SINGLE-FAMILY RESIDENTIAL MILE-SQURE DISTRICT
1143.05	R2MS SINGLE- AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.
1143.07	R3MS SINGLE- , TWO-FAMILY and THREE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.
1143.09	RO OFFICE RESIDENTIAL DISTRICT.
1143.10	UPTOWN DISTRICT.

(a) Purpose.

(b) Uses.

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

- 1.) Lot Requirements.
 - A.
 - B.
- 2.) Yard Requirements.

1143.11 MU UNIVERSITY DISTRICT.

(a) Purpose. The purpose of this district is to accommodate the academic, administrative, cultural, recreational, residential and ancillary uses comprising and supportive of the respective requirements of a college or university. **Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.**

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY 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 19, 2009
<u>Case Number</u>	PC-07-2009
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Text Amendment
<u>Summary of Request</u>	Modifying Chapter 1133 Provisions for Zoning District and Chapter 1143 Districts, to add the Historic District Overlay to the Establishment of Zoning Districts and to add cross-references to the Codified Ordinance Chapter 1331 Historic and Architectural Preservation, specifically to the Site Development Regulations of the R1MS, R2MS, R3MS, RO, UP and MU Districts for those properties in the Historic District.
<u>Public Hearing Information</u>	At the May 12, 2009 Planning Commission meeting a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on April 17, 2009.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 to recommend approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission voted to recommend approval of the draft language with a minor modification.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report. 2. Chapter 1133 Provisions for Zoning District and Chapter 1143 Districts language. 3. Zoning Code Text Amendment Application dated March 27, 2009.

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-07-2009

Date – May 12, 2009

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT**, Chapter 1133 Provisions for Zoning District and Chapter 1143 Districts, to Add the Historic District Overlay to the Establishment of Zoning Districts and to Add Cross References to the Codified Ordinance Chapter 1331 Historic and Architectural Preservation, Specifically to the Site Development Regulations of the R1MS, R2MS, R3MS, RO UP and MU Districts for Those Properties in the Historic District.

GENERAL DESCRIPTION

Regularly the Community Development Department Staff and the HAPC are told that owners and tenants of properties are not aware that they have to follow the HAPC Architectural and Preservation Design Guidelines. In an effort to make Applicants more aware that such guidelines exist, the HAPC is recommending and requesting that cross reference to the HAPC guidelines be added to the zoning code.

STAFF ANALYSIS

Essentially, the same reference is added in two chapters of the zoning code, stating that:

“Properties that fall within a Historic Architectural Preservation District must also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and must follow the procedures for approval contained therein.”

The first addition of the proposed language will be inserted under the general compliance provisions of establishing the zoning districts in Chapter 1133.02 as a new item (h). The second location this language is added is under the “Site Development Regulations” of individual zoning districts that fall within the three HAPC Historic Districts. Those zoning districts that have properties within the HAPC Historic Districts include the R1MS, R2MS, R3MS, RO UP and MU Districts. The cross reference is located in the MU District’s “Purpose” statement because there are no “Site Development Regulations” for this district. For clarification, the intent *is not* that the HAPC guidelines will apply to the entire zoning district, but only reference that those properties that are in the Historic District are also subject to HAPC review. For example, the proposed language is not added to the GB or R1A “Site Development Regulations” because the Historic Districts and HAPC guidelines do not affect properties in those zoning districts.

Another amendment includes officially listing the Historic District as an Overlay under Chapter 1133.01. The three Historic Districts have been mapped on the zoning map for several years, as well as being mapped and adopted with the HAPC design guidelines. This addition is basically a housekeeping issue and is nothing new that isn’t currently being applied.

DECISION CRITERIA

Any proposed amendment shall be considered and 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 to 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.

RECOMMENDATION

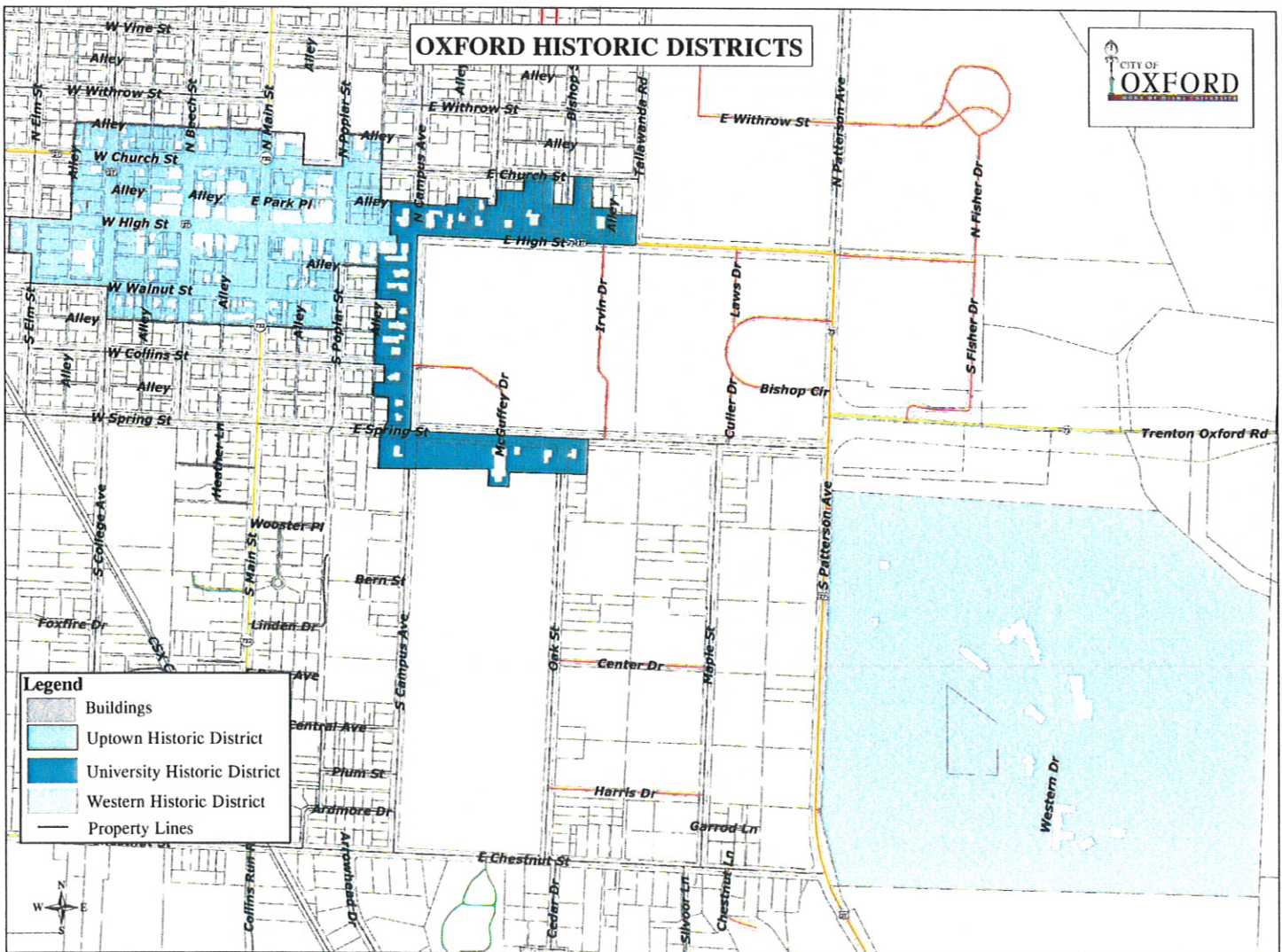
Not Applicable.

SUBMITTED

BY:

Kathryn A. Dale
Kathryn A. Dale, AICP
City Planner

DATE: April 23, 2009



Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 101 E. High Oxford OH 45056
Telephone Number(s): 524-5204

SUBMISSION REQUIREMENTS

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

All applications must include:

1. A general description of the proposed amendment.
2. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
3. A statement that identifies potential negative consequences of the proposed amendment.
4. Any existing section number and text that is proposed to be deleted or amended.
5. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
6. A narrative statement that describes the expected effects of the proposed text.
7. 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 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date.

SIGNATURE OF APPLICANT: _____

Date: 3/27/09

PRINTED NAME: _____

Jung-Nan Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: NA

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: June 2, 2009

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

May 19, 2009
Date Prepared

Agenda Title:	PC-08-2009 ZONING CODE TEXT AMENDMENT , Chapter 1151 Signs, amendments to Temporary Signs and to provide cross reference to Chapter 1331 of the Codified Ordinance, Historic & Architectural Preservation, in the review process, those properties in the Historic District must also follow Historic Guidelines regarding signage, City of Oxford, Applicant
----------------------	---

Recommendation:	Approve
------------------------	----------------

Discussion:

HAPC requests that the Planning Commission and City Council consider amending the Temporary Sign requirements for Special Events, which would apply to all commercial businesses. This request is a result of HAPC "Administrative Findings" letters sent to business and property owners regarding banners in 2007, and subsequent public hearings in July & August of 2008 before City Council whom were not in favor of initial amendment requests to prohibit banners Uptown.

HAPC specifically requested the Planning Commission and City Council consider:

1. Reducing the square footage size of permitted signage for commercial and residential uses.
2. A maximum length for such signage was proposed by the HAPC; however, the Planning Commission is not forwarding this amendment since the square footage of such signs is regulated.
3. That Special Event signs be required to be posted or hung on that portion of the building in which the sign is affiliated.
4. To reduce the amount of time a sign can be hung from 21 days to 7 days; however, Planning Commission is recommending that City Council allow 10 days.
5. To reduce the amount of window coverage allowed from 50% to 20%.
6. To include a cross reference to the HAPC Design Guidelines, specifically to the "General Sign Provisions" and to the permanent sign requirements of the RO and UP zoning districts.

The Planning Commission is also recommending a minor modification to appropriately refer to the "Historic District Overlay" instead of the "Historic Architectural Preservation District". The draft ordinance has been modified to show the Planning Commission's recommendations.

Approved By:	Department Head:	Initial	Date
	City Attorney:	<i>JHC</i>	<i>5/21/09</i>
	<i>A.</i> City Manager:	<i>JHC</i>	<i>5/29/09</i>

ORDINANCE NO. _____

AN ORDINANCE REPEALING ZONING CODE CHAPTER 1151 SIGNS, AND ADOPTING NEW CHAPTER 1151 SIGNS, TO MODIFY TEMPORARY SIGN REGULATIONS AND TO ADD CROSS REFERENCES TO THE CODIFIED ORDINANCE CHAPTER 1331, HISTORIC & ARCHITECTURAL PRESERVATION.

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 May 12, 2009 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1151 Signs, and adopting new Chapter 1151, Signs to modify the Temporary Sign Regulations and to add cross references to the Codified Ordinance Chapter 1331 Historic and Architectural Preservation, that those properties in the Historic District must also follow the Historic and Architectural Preservation Guidelines regarding signage.

SECTION II: Council hereby repeals Chapter 1151 of the Oxford Code of Ordinances and adopts new Chapter 1151 as follows:

**CHAPTER 1151
Signs**

1151.01	Purpose.	1151.05	Permanent Signs.
1151.02	Administration.	1151.06	Temporary Signs.
1151.03	General Regulations.	1151.07	Definitions.
1151.04	Public Property.	1151.08	Penalty.

1151.01 PURPOSE.

(a) The purpose of this Chapter is to regulate the display of signs that pertain to residential and nonresidential land uses and activities that take place on the same site as where the sign is located. These regulations are intended to:

- (1) Provide property owners and occupants an opportunity for effective identification.
 - (2) Maintain and enhance the quality of the City's appearance by limiting the number, sign face area, total area, location, and design of signs permitted on all sites.
 - (3) Protect residential zoning districts from the adverse impacts of excessive signs both from within residential districts and from surrounding districts.
 - (4) Reduce sign clutter.
 - (5) Ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment.
 - (6) Provide reasonable and appropriate methods to identify goods sold or produced and services rendered in all zoning districts.
 - (7) Control the size, location, and design of temporary and permanent signs so that the appearance of such signs will be aesthetically harmonious with their surroundings and will enhance the overall appearance of the built environment.
 - (8) Eliminate any conflict that could be hazardous between private signs and traffic control devices and signs.
 - (9) Preserve and perpetuate uncluttered and natural views, significant architecture, and cultural resources for the enjoyment and environmental enrichment of the Oxford residents and visitors.
- (Ord. 2855. Passed 7-5-05.)

1151.02 ADMINISTRATION.

(a) Interpretation and Enforcement. The Zoning Administrator shall interpret and enforce this chapter. Appeal from the decision of the Zoning Administrator may be made to the Board of Zoning Appeals.

(b) Nonconforming Signs. Legal nonconforming signs are regulated at Chapter 1137, Nonconformities, Section 1137.10, Nonconforming Signs.

(c) Zoning Inspections. The Zoning Administrator is authorized to inspect any sign for compliance with this Code at any time.

(d) Installation and Maintenance. All signs shall be installed in a workmanlike manner and shall not be allowed to exist in a state of disrepair, which includes dysfunctional lighting, broken glass and plastic, rotted wood, peeling paint or vinyl, missing parts, rust, illegibility, and the like. The Zoning Administrator shall order the removal or repair of any sign that does not meet this standard after giving proper notice.

(e) Construction.

- (1) No sign shall be constructed of highly flammable materials.
- (2) Any glass other than that contained in incandescent bulbs, fluorescent bulbs or neon tubing which form part of any sign shall be comprised of glass approved by the building official for use in the particular application.

(f) Penalties for Violation. Any person, firm, or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor pursuant to Oxford Code Section 501.99. Each day's continuance of a violation shall be considered a separate offense.

(g) Identification of Permanent Signs. Every permanent sign for which a permit is issued according to these regulations shall be plainly marked with the name of the responsible party and the permit number for the sign. Except for legal nonconforming signs, failure to display such information as required is prima facie evidence that the sign is a violation of this Code.

(h) Invalid Signs. A sign, whether conforming or nonconforming, that displays a commercial message that applies to an entity no longer in operation or to goods or services no longer provided shall be completely removed or the sign face replaced with a blank face within 45 days of such discontinuation of operation, sales, or service. The sign, sign structure, and mounting hardware must be removed in its entirety if a legal operation, sales, or service is not reinstated or established within 2 years of the original date of such discontinuation.

(i) Applications and Permits.

- (1) The application requirements, permitting procedure, and issuance of a permit shall be as determined by the Zoning Administrator in accordance with this code.
- (2) Temporary signs require obtaining a building and zoning permit unless specifically exempted below and shall be issued no sooner than 7 days from the date of application.
- (3) A permit is required for all signs permitted in this Chapter except as specifically exempted below.
- (4) The following signs do not require obtaining a permit but must comply with all applicable regulations in this chapter:
 - A. Street addresses as required by Oxford Code
 - B. Public signs
 - C. Nonresidential land use name plate signs
 - D. Nonresidential land use direction signs
 - E. Self-service facilities signs

- F. Structure identification signs
- G. Associations signs
- H. Real estate signs
- I. Construction signs
- J. Flags
- K. Noncommercial and political signs
- L. Window signs
- M. Special Event Signs
- N. Building identification signs

(j) Fees. Permit fees for signs shall be as set forth by City Council.

(k) Measurement.

- (1) All sign face area shall be counted towards any total sign area regulation provided in this Code. Signs that are exempted from the permit requirement of this Code are not counted towards the total sign area permitted for a site or nonresidential occupant.
- (2) Where this Code regulates the total sign area or the sign face area of a sign based upon the site or structure relative to an adjacent public right-of-way, the following provisions apply:
 - A. If a site abuts only one public right-of-way, the area regulations are based upon only that right-of-way.
 - B. If a site abuts more than one public right-of-way, the number and area regulations are based upon all rights-of-way, however, the sign number and area permitted based upon each right-of-way shall only be oriented towards the right-of-way upon which the permitted sign area is based.(Ord. 2855. Passed 7-5-05.)

1151.03 GENERAL REGULATIONS.

(a) Proposals for signs on properties within the Historic District Overlay, regardless of zoning district, shall consult the guidelines provided by the Historical Architecture Preservation Commission and shall follow the procedures for approval contained therein.

(b) No signs are permitted other than those specifically permitted in this Code.

(c) The time, place, and manner of signs shall be regulated to protect the public health, safety, and general welfare as follows, unless specifically provided elsewhere in this chapter.

(d) Design.

- (1) Signs shall only describe or direct attention to a nonresidential occupant, business, commodity, service, person, product, service, or entertainment produced, provided, conducted, sold, offered, or performed on the same premises on which the sign is displayed.
- (2) No sign shall approximate the design or effect of public traffic control sign.
- (3) No sign shall be painted directly upon a residential structure.
- (4) No wall sign shall project more than 1 inch from the side of a building or structure that is adjacent to a public alley.
- (5) The following signs are specifically prohibited: moving signs, flashing or animated signs, balloons, gas or other inflated signs, portable signs, searchlights, streamers, spinners, pennants, flags (except as specifically permitted in this Chapter), and the like.

(e) Location.

- (1) No freestanding sign shall be closer to a lot line or the public right-of-way than the height of the sign, except as specifically exempted in this Chapter.
- (2) No sign shall be attached to a standpipe, fire escape, utility pole, utility

- cabinet, or other utility or safety device.
- (3) No sign shall be attached to a tree or other natural vegetation
- (4) No sign shall be upon or project above a roof line
- (5) Any wall sign that extends more than 3 inches from the surface to which it is attached shall be a minimum of 8 feet above the adjacent ground.
- (6) No sign or sign structure shall be attached in a place that is likely to restrict the view of any street intersection, railroad crossing, or pedestrian crosswalk
- (7) No sign shall be attached in a place or manner that is likely to restrict free ingress or egress from any door, window, or fire escape.

(f) Illumination.

- (1) Sign shall be only naturally illuminated unless specifically permitted to be direct or indirect illumination elsewhere in this Chapter.
- (2) No sign illumination shall be permitted that casts light towards a right-of-way or that casts light into an adjoining residential zoning district or where a light source is directly visible from off of the site.
(Ord. 2855. Passed 7-5-05.)

1151.04 PUBLIC PROPERTY.

For the purposes of this section, public property includes the property of any public governmental entity located in the City of Oxford including the City, Butler County, the State of Ohio, Miami University, the Lane Public Library, and the Talawanda City School District.

(a) Public Signs. Public signs and signs serving a public interest are permitted at any time, in any place, and in any manner deemed appropriate by the City Manager for the benefit of the public interest.

(b) Private Signs Over Public Property.

- (1) No privately owned signs may be affixed to or placed within the public right-of-way or on other public property, except as provided for in this Code. Wall signs attached to nonpublic structures that project into the public right-of-way are subject to the same provisions regulating signs that are on private property.
- (2) The owners of all signs installed in the airspace of or directly on or in a public right-of-way or other public property in accordance with this Code shall be required to maintain insurance protecting The City of Oxford, Ohio from any claims of liability relative to personal injury or property damage in the right-of-way or other public property resulting from such sign. Failure to maintain such insurance shall be cause to revoke a sign permit and shall be a violation of this Code.

(c) Sandwich Board Signs. On the public right-of-way, in the GB, UP, and RO zoning districts each nonresidential occupant shall be permitted 1 free-standing sandwich board sign as follows:

- (1) The sign shall have a maximum total area of 16 square feet. The sign may have a maximum of two sign faces. The maximum area per sign face shall be no more than 12 square feet.
- (2) The sign shall not extend more than five feet into the right-of-way.
- (3) The sign shall not result in less than five feet of unimpeded sidewalk area adjacent to the sign.
- (4) The City is authorized to require removal of such signs at any time deemed appropriate for the convenience and protection of the public health, safety, and general welfare.(Ord. 2855. Passed 7-5-05.)

1151.05 PERMANENT SIGNS.

(a) Nonresidential Land Use Identification and Advertising Signs in the following Districts. These regulations describe the signs permitted for the purposes of identification and advertising for nonresidential land uses in those zoning districts that permit nonresidential land uses by right. Such signs are primarily intended to provide for identification of such uses from off-site, but also include pedestrian-scale signs that are intended to provide more detailed information to people who approach the primary entrance to such land uses.

- (1) RO - Residential Office District. No more than a total of 1 wall or freestanding sign is permitted per nonresidential occupant in accordance with the following:

A. Wall Signs:

1. No more than 1 sign as follows, for identification and advertising:

- a. No more than 20 square feet
- b. Attached between 9 and 18 feet above the adjacent ground

B. Freestanding Signs:

1. No more than 1 sign as follows, for identification and advertising:

- a. No more than 12 square feet per sign face
- b. No closer than 10 feet to a side lot line
- c. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.

C. Illumination:

1. Signs shall have only indirect illumination.

D. Proposals for signs on properties that fall within the Historic District Overlay in an RO zoning district shall consult the HAPC sign guidelines and follow the procedures therein.

- (2) UP - Uptown District. No more than a total of 2 wall signs are permitted per nonresidential occupant in accordance with the following:

A. Wall signs:

1. No more than 1 sign per nonresidential occupant as follows, for identification and advertising:

- a. No more than 3 feet in height that extends horizontally across the entire facade of the structure
- b. Attached between 9 and 18 feet above the adjacent ground.
- c. If a building has more than one business occupant, the owner of the building shall apportion the space allotted for signs among the various business occupants in accordance with the regulations above.
- d. If a building is on a corner lot or the corner of an alley, it is permissible to have one additional wall sign on the side of the building facing the secondary roadway in accordance with the regulations above.

2. No more than 1 sign per nonresidential occupant as follows, for a menu box:

- a. No more than 2 square feet in area
- b. Attached between 4 and 6 feet above the adjacent ground.
- c. Incorporates no text greater than 2 inches in height.

B. Illumination:

1. Signs shall have only indirect illumination.

C. Proposals for signs on UP properties that fall within the Historic District Overlay shall consult the HAPC sign guidelines and follow the procedures therein.

- (3) GB - General Business District. No more than a total of 2 wall or freestanding signs are permitted per development site in accordance with the following:
- A. Maximum total sign area for all signs on a development site shall be no more than 2 square feet of sign area per linear front foot of the site.
 - B. Wall Signs:
 - 1. No more than 2 signs as follows:
 - a. If the average front setback of the structure is less than 100 feet, then the sign may be no more than 3 feet tall. If the average front setback of the structure is 100 feet or greater then a sign may be no taller than the average front setback of the structure multiplied by 0.04, but in no case taller than 12 feet.
 - b. A sign may extend the width of a building in accordance with the maximum total sign area requirement.
 - c. If a building is on a corner lot or the corner of an alley, it is permissible to have one additional wall sign on the side of the building facing the secondary roadway in accordance with the regulations above.
 - C. Freestanding Signs:
 - 1. No more than 1 sign as follows:
 - a. No more than 48 square feet per side
 - b. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.
 - D. Illumination:
 - 1. Signs may be indirectly or directly illuminated.
- (4) OI & LI - Office and Light Industrial District & Light Industrial District. No more than a total of 1 wall or freestanding sign is permitted per development site in accordance with the following:
- A. Maximum total sign area for all signs on a development site shall be no more than 1 square foot of sign area per front foot of the development site.
 - B. Wall Signs:
 - 1. No more than 1 sign as follows:
 - a. If the average front setback of the structure is less than 100 feet, then the sign may be no more than 3 feet tall. If the average front setback of the structure is 100 feet or greater then a sign may be no taller than the average front setback of the structure multiplied by 0.04, but in no case taller than 12 feet.
 - b. If a building is on a corner lot or the corner of an alley, it is permissible to have one additional wall sign on the side of the building facing the secondary roadway in accordance with the regulations above.
 - C. Freestanding Signs:
 - 1. No more than 1 sign as follows:
 - a. No more than 48 square feet per side
 - b. No closer than 30 feet to a side lot line
 - c. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.
 - D. Illumination:
 - 1. Signs may be indirectly or directly illuminated.

(b) Nonresidential Land Use Signs in Residential Zoning Districts. The following regulations describe the signs permitted for identification of nonresidential land uses such as day care, institutional, public, semi-public, charitable, non-profit, religious, or medical facilities in any residential zoning district as defined in Chapter 1133, Provisions for Zoning Districts. Such signs are primarily intended to provide for identification of such uses from off-site. Signs for legal nonconforming nonresidential land uses are regulated according to the Nonconforming Chapter of this Code and are not entitled to the signs permitted in this section.

- (1) No more than 1 sign per development site is permitted as follows:
 - A. The sign may be either a wall or a freestanding sign but not both
 - B. No more than 12 square feet in area
 - C. Indirect illumination only

(c) Name Plate and Direction Signs in Any District. These regulations describe the signs permitted for the purposes of controlling the flow of pedestrian and vehicular traffic on-site and for identifying the building entrances for nonresidential land uses in any zoning district. Such signs include vehicular and pedestrian-scale signs that describe building occupants, secondary entrances, intended travel directions, and parking regulations and are permitted in accordance with the following:

- (1) No more than 1 wall sign per principle structure as follows, to describe the names, address, and locations within the structure:
 - A. No more than 2 square feet in area
 - B. Attached between 4 and 8 feet above the adjacent ground
 - C. Attached either on or within 2 feet of a door.
 - D. Indirect illumination only
- (2) No more than 1 wall sign per secondary entrance to a principle structure, excluding that described in part 1 of this section, as follows, to describe the purpose of secondary entrances:
 - A. No more than 2 square feet in area
 - B. Attached on or within 2 feet of a door
- (3) No more than 1 wall or freestanding sign per development site as follows, to describe parking regulations:
 - A. No more than 4 square feet in area
 - B. Single sign face only
 - C. Display no commercial message except identification and address
 - D. Indirect illumination only
- (4) Any number of wall or freestanding signs as follows, to describe intended direction of vehicular travel on-site:
 - A. No more than 2 square feet in area
 - B. No higher than 4 feet
 - C. No closer than 5 feet to any lot line
 - D. Display no commercial message except identification and address

(d) These regulations describe the signs permitted for the purposes of identification of residential land uses in any location. Such signs include addresses, large multi-family identification, and subdivision identification and are permitted in accordance with the following:

- (1) No more than 1 freestanding sign per development site as follows, for identification of residential structures with more than three dwelling units in the R3A zoning district:
 - A. A maximum of 2 sign faces
 - B. No more than 24 square feet in area per sign face
 - C. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.
 - D. Indirect illumination only
- (2) No more than 1 freestanding sign per street intersection at the boundaries of a subdivision as follows, for identification of the subdivision:
 - A. A maximum of 2 sign faces
 - B. No more than 48 square feet per sign face

- C. No combination of a freestanding sign structure and sign shall be higher than 6 feet or wider than 12 feet.
 - D. Indirect illumination only
- (e) Other Permitted Specific Development, Land Use, and Accessory Land Use Signs.
- (1) Street Number Signs. Signs for the display of street numbers as regulated in Oxford Code Section PM-304.3, Street Numbers.
 - (2) Building Identification Signs. No more than 1 wall sign per principal structure as follows:
 - A. No more than 6 square feet in area
 - B. Attached between 4 and 18 feet above the adjacent ground
 - C. The sign shall be naturally illuminated only.
 - (3) Fuel Sales. In addition to other provisions of this Chapter, a publicly available fuel dispensing station may use a 12 square foot area of no more than one permitted wall or freestanding sign for changeable copy to display the price of fuel. This may be applied on both sides of a two-sided sign.
 - (4) Self-service facilities. No such facility shall have more than 4 square feet of total sign area. Such signs shall be permanently attached to or be a part of the facility and shall not extend above it.
 - (5) Planned Developments. Signs for planned developments shall be regulated according to the approved final plan.
 - (6) Commemorative Structure Identification. Structure names, erection dates, commemorative plaques and the like are permitted on any structure if carved into stone or concrete or set in brick or in some other way permanently made a part of the structure or if made of metal and permanently adhered to the structure. This is intended to permit signs that will remain on the structure until it is razed and that is independent of the occupants. These signs shall be naturally illuminated only.
 - (7) Associations. Credit card, trading stamp, trade association window signs are permitted for any nonresidential land use in any zoning district. No symbol shall exceed 1/2 square foot in area. No more than 10 such signs are permitted per nonresidential occupant. These signs shall be naturally illuminated only.
(Ord. 2855. Passed 7-5-05.

1151.06 TEMPORARY SIGNS.

Temporary signs are not subject to the sign area provisions described elsewhere in this Chapter.

- (a) Special Events. No more than 1 sign per nonresidential occupant, to advertise special events:
 - (1) No more than ~~30~~ **24** square feet in area in a nonresidential zoning district
 - (2) No more than ~~16~~ **12** square feet in area in a residential zoning district
 - (3) Single sign face.
 - (4) Installed flat against a wall or stretched between pillars or other supporting members of a principal structure
 - (5) **Attached no more than 18 feet from grade and only on that portion of the building occupied by the nonresidential tenant affiliated with the sign.**
 - (6) Installed for no more than ~~21~~ **10** days
 - (7) Installed no more than 6 times per calendar year (January through December)
- (b) Real Estate. No more than 1 sign per lot per adjacent public right-of-way as follows, to advertise real estate:
 - (1) No more than 24 square feet in area per side in a nonresidential zoning district
 - (2) No more than 6 square feet in area per side in a residential zoning district
 - (3) Must be freestanding
 - (4) Must not be permanently anchored to the ground or attached to concrete, asphalt, or other natural ground surface

- (c) Construction.
 - (1) No more than 2 construction signs that together have a total sign area of no more than 32 square feet.
 - (2) The maximum number of sign faces per sign shall be limited to 1
- (d) Flags. No more than 4 flags per principle structure are permitted for any land use in any zoning district.
- (e) Noncommercial and Political Signs. Any principle structure in any zoning district may display no more than 5 noncommercial or political signs. Each sign may have a maximum of 2 sign faces (a double faced sign), each face with a maximum of 12 square feet in sign area. Signs may be wall, window, or freestanding. Signs shall be naturally illuminated only.
- (f) Window Signs. Any land use in any zoning district may have window signs that obstruct no more than ~~50~~ 20 percent of the glass within a structural frame of the wall in which it is located.
(Ord. 2855. Passed 7-5-05.)

1151.07 DEFINITIONS.

- (a) Area, Sign Face - the area of the smallest rectangle that encloses all of the letters, figures or symbols that comprise the sign message, including any background forming an integral part of the display, but not including any structure supporting the sign, unless the support structure forms a part of the message being displayed.
- (b) Area, Total - the area permitted for a residential or nonresidential occupant, structure, site or other entity that is comprised of all separate sign face areas
- (c) Banner - a non-rigid cloth, plastic, paper, or canvas sign typically related to a public demonstration or for the promotion of civic, welfare or charitable enterprises.
- (d) Building Identification Sign - a sign intended to identify a building from beyond the site on which the sign is located.
- (e) Changeable Copy Sign - a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic, or manual means.
- (f) Commercial Sign - a sign proposing or promoting a commercial transaction or directing attention to a business, commodity, or service.
- (g) Construction Sign - a temporary sign identifying the persons, firms, or businesses directly connected with an ongoing construction project and other information or diagrams about the project.
- (h) Development Site - Any area of land that is characterized by a single, unified, integrated development or land use regardless of ownership or underlying legal land divisions.
- (i) Direction Sign - a sign intended to control the flow of pedestrian and vehicular traffic that does not contain any other commercial message.
- (j) Flag - any fabric or bunting that display only the symbol of an official public entity or political jurisdiction.
- (k) Flashing Sign - a sign that changes in intensity, color, or pattern of illumination at less than two-hour intervals when the sign is activated.

- (l) Freestanding Sign - a sign that is affixed to the ground and that is not affixed to any other structure.
- (m) Ground Sign - a freestanding sign structure that is affixed to the ground and that is not affixed to any other structure and that has a base that contacts the ground over at least 80 percent of the maximum width of the structure.
- (n) Height, Sign - the distance between any part of the sign face area and the natural finished grade directly below it.
- (o) Identification Sign - a sign that serves to identify only the names, addresses, and occupations conducted on or in the site, structure, building, or portion thereof on which it is located.
- (p) Illegal Sign -- either of the following:
- (1) A sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use.
 - (2) A sign that was legally erected, but whose use has ceased, or the structure on which the display is placed has been abandoned by its owner, not maintained, or not used to identify or advertise an ongoing business after a period of more than 45 days. See 1151.02(h)
- (q) Illumination, Direct - a source of illumination enclosed entirely within a sign and not directly visible from outside of the sign.
- (r) Illumination, Indirect -- a source of illumination directed toward a sign so that a beam of light falls on the exterior surface of the sign.
- (s) Illumination, Natural - illumination provided only by the sun, moon, and other broad environmental sources such as street lights, parking lot lights, and building lights and not provided with direct or indirect illumination as defined in this Chapter.
- (t) Instruction Sign - an on-site sign designed to be visible on-site or immediately adjacent to the site by pedestrians and motorists and that conveys instructions with respect to the premises on which it is maintained. Examples of such signs include a sign designating the entrance to or exit from a parking area, trespassing sign, a danger sign, entry or exit signs, directional signs, service entrance signs, and on-site information signs.
- (u) Menu Box - a pedestrian-scale, nonresidential occupant sign that provides an opportunity to change the message on a regular basis to provide information about a restaurant menu, scheduled entertainment, special events, and the like.
- (v) Mural - a picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product, service, place, person or the identification of any business.
- (w) Noncommercial and Political Sign - a sign other than a commercial, instructional, entry feature, construction, identification, outdoor advertising, professional or real estate sign.
- (x) Nonconforming Sign, Legal - a sign that was lawfully erected or displayed under laws or ordinances in effect at the time of its installation, but that is not allowed under this Code.
- (y) Nonresidential Occupant - Any single entity that is involved in the operation of a nonresidential land use.
- (z) Off-Site Sign - a sign that is not an on-site sign as defined in this Chapter.

(aa) On-Site Sign - a sign directing attention to a business, commodity, service, person, or entertainment conducted, sold or offered on the same site on which the sign is located.

(bb) Portable Sign - a sign that is designed to be or capable of being moved or transported, and not permanently affixed or attached to any building, structure, or grounds.

(cc) Professional Sign - a sign indicating the name and occupation of a professional person or group of associated professional persons.

(dd) Projecting Sign - a sign that is wholly or partly dependent on a building for support or suspended from a pole attached to a structure and that *projects more* than 16 inches from the building at a perpendicular angle or approximately perpendicular angle.

(ee) Real Estate Sign - a sign advertising the sale, rental, open house, or lease or other disposition of the structure, property, or land on which it is installed.

(ff) Roof Line - the uppermost line or point of the facade or parapet of a flat roof structure, or the lower edge of an eve, gable, or rake of a sloped roof structure including a mansard roof.

(gg) Roof Sign - a sign erected on or projected above the roofline of a building or structure.

(hh) Sandwich Board Sign - a sign with two hinged, connected or double-faced boards or other material that can be temporarily placed on the ground and is customarily placed on a sidewalk to advertise changing sales, specials, or products sold in the adjacent establishment.

(ii) Sign - any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or site by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

(jj) Self-service Facilities - machines, containers, and other external appurtenances that are publicly available and that are generally used by the public without assistance, such as canned and bottled drink dispensers, ice storage chests, propane tank corrals, automated teller machines (ATMs), gasoline pumps, air compressors, newspaper boxes, pay telephones, vehicle washing and vacuuming facilities, and the like, whether freestanding or attached to a structure.

(kk) Site, Development - See Development Site

(11) Special Event Sign - a sign displaying a message about a grand opening, change in management, promotion, annual activity, sale, seasonal sale, temporary price change, new merchandise, new service, special service, and the like relative to the nonresidential occupant that displays the sign.

(mm) Temporary Sign - a sign designed, intended, or installed for a relatively short period of time and that consist only of materials that are not subject to degradation from exposure to inclement weather, the sun, or other natural hazards. Prohibited materials include uncoated paper, cardboard, untreated cotton, and other untreated natural fibers.

(nn) Wall Sign - a sign painted on or affixed flat against the wall of a building or structure, or a marquee, awning, or canopy in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 16 inches from such building or structure.

(oo) Window Sign - a sign painted on or affixed to a windowpane or glass door or displayed on the inside of the building or structure that is within two feet of a windowpane or glass door and is visible from a public right-of-way or adjacent property. (Ord. 2855. Passed 7-5-05.)

1151.99 PENALTY.

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor pursuant to Oxford Code Section 501.99(a). Each day's continuance of a violation shall be considered a separate offense.
(Ord. 2855. Passed 7-5-05.)

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	May 19, 2009
<u>Case Number</u>	PC-08-2009
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Text Amendment
<u>Summary of Request</u>	Modifying Chapter 1151 Signs, amendments to Temporary Signs and to provide cross-reference to Chapter 1331 of the Codified Ordinance, Historic & Architectural Preservation, in the review process, those properties in the Historic District must also follow Historic Guidelines regarding signage.
<u>Public Hearing Information</u>	At the May 12, 2009 Planning Commission meeting, a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on April 17, 2009.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 to recommend approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission voted to recommend approval of the draft language with modifications.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report. 2. Chapter 1151 Signs language. 3. Zoning Code Text Amendment Application dated March 27, 2009.

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-08-2009

Date – May 12, 2009

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT**, Chapter 1151 Signs, amendments to Temporary Signs and to provide cross reference to Chapter 1331 of the Codified Ordinance, Historic & Architectural Preservation (HAPC), in the review process, those properties in the Historic District must also follow Historic Guidelines regarding signage.

GENERAL DESCRIPTION

In July & August of 2008 City Council heard proposed text changes to the HAPC Design Guidelines regarding banners and sandwich board signs. HAPC regulations specifically prohibited the use of sandwich board signs and banners which is in conflict with the zoning code sign provisions. In 2007, there were many HAPC “Administrative Findings” letters sent to business and property owners regarding banners. The HAPC, after discussion, determined they would like to see sandwich boards continue in place of banners. However, City Council was not in favor of that recommendation because commercial properties Uptown would be treated differently than commercial properties in other zoning districts. City Council advised that their preference was to permit banners and sandwich board signs in the Historic District if they followed the zoning code.

While preparing this proposed language to the HAPC Design Guidelines to accommodate City Councils’ preferences, HAPC indicated that they would like to request the Planning Commission consider amending the temporary sign requirements for Special Events, which is typically done with banners, and would apply to all commercial businesses.

The second proposed amendment to the sign regulations is similar to the previous case presented (PC Case #07-2009). Regularly, the Community Development Department Staff and the HAPC are told that owners and tenants of properties are not aware that they have to follow the HAPC Architectural and Preservation Design Guidelines regarding signage. In an effort to make applicants more aware that such guidelines exist, the HAPC is recommending and requesting that cross references to the HAPC guidelines are added to the zoning code.

STAFF ANALYSIS

Recommended amendments to the Temporary Sign Regulations, specifically Section 1151.06(a) Special Events, the HAPC is requesting that the Planning Commission consider reducing the size of permitted signage for commercial uses from 30 sq. ft. to 24 sq.ft and residential uses from 16 sq. ft. to 12 sq.ft. The rationale to reduce the maximum allowable residential temporary signage is so that temporary signage coincides with the maximum amount of permanent signage permitted under section 1151.05(b). A maximum length of 8 feet is also recommended to ensure that any temporary signage does not exceed the width of a commercial building façade, and it will typically accommodate a banner being hung over the front display window of a building or entryway. The additional proposed regulation would require that special event signs be required to be posted or hung on that portion of the building in which the sign is affiliated. The rationale of this recommendation would be to prohibit business owners from hanging a banner or other signs from a roofline or other building floor that is not occupied by the tenant advertising.

Another recommendation is proposed regarding the length of time signs are allowed to be posted. Currently special event signs could be posted for almost 6 months, or half a year. The HAPC is asking the Planning Commission to consider reducing the amount of time a sign can be hung to 7 days and no more than 4 times a year.

Regarding the cross referencing of the HAPC Design Guidelines, the reference is added to the "General Sign Provisions" and to the permanent sign requirements of the RO and UP zoning districts, which states:

"Proposals for signs on properties within a Historic Architectural District, regardless of zoning district, shall consult the guidelines provided by the Historical Architecture Preservation Commission and must follow the procedures for approval contained therein."

As presented in the previous case, for clarification, the intent *is not* that the HAPC guidelines would apply to the entire zoning district if the property were not in a Historic District. For example, the proposed language is not added to the GB or OI "Site Development Regulations" because the Historic Districts and HAPC guidelines do not affect properties in those zoning districts.

DECISION CRITERIA

Any proposed amendment shall be considered and 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:

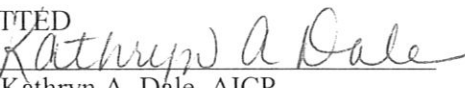
- a. Make the Code conform more closely to the Comprehensive Plan.
- b. Improve the public health, safety, and general welfare of Oxford.
- c. Clarify the intent of the Code.
- d. Better implement the intent of the Code.
- e. Improve enforcement of the Code.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:


Kathryn A. Dale, AICP
City Planner

DATE: April 23, 2009

Zoning Code Text Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 101 E. High St. Oxford OH
Telephone Number(s): 524-5204

SUBMISSION REQUIREMENTS

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

All applications must include:

1. A general description of the proposed amendment.
2. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
3. A statement that identifies potential negative consequences of the proposed amendment.
4. Any existing section number and text that is proposed to be deleted or amended.
5. Any new or amended text as it is proposed to be codified including its proposed location in the Code.
(section numbers)
6. A narrative statement that describes the expected effects of the proposed text.
7. 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 payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Community Development Department at (513) 524-5204.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date.

SIGNATURE OF APPLICANT: [Signature] Date: 3/27/09
PRINTED NAME: Jung-Han Chen

FEE / RECEIPT

\$150 Fee Paid / Receipt Number: NA

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED AT AND NEAR 5500 OXFORD COLLEGE CORNER ROAD FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, includes the following:

Permanent Take of Parcel 110-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 110-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
110-WD
BUT-27-18.55
08/08/07

PARCEL 110-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in City of Oxford, County of Butler, and State of Ohio, being a part of Original Oxford Township Section 16, T5N, R1E, being also a part of Oxford City Lot 1942 and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the southeasterly corner of Oxford City Lot 1942, said point also being Grantor's southeasterly corner, said point being located at centerline Station 995+06.84 of U.S. 27;

Thence, North 46 degrees 26 minutes 41 seconds West along the southwesterly line of Oxford City Lot 1942 and the centerline of right of way of U.S. 27 a distance of 543.14 feet to a iron rod to be set in a monument box at an angle point;

Thence, North 46 degrees 22 minutes 01 seconds West along the southwesterly line of Oxford City Lot 1942 and the centerline of right of way of U.S. 27 a distance of 250.27 feet, to a point at the Grantor's southeasterly corner, said point being located at centerline Station 1003+00.25 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence continuing North 46 degrees 22 minutes 01 seconds West , 109.32 feet, along the southwesterly line of Oxford City Lot 1942 , the Grantor's southwesterly property line, and the centerline of right of way of U.S. 27, to a point of curvature;

Thence 201.56 feet, along an arc of a curve to the right, having a radius of 22918.30 feet, a central angle of 00 degrees 30 minutes 14 seconds, and a chord which bears North 46 degrees 06 minutes 54 seconds West, 201.56 feet, to a point at the Grantor's southwesterly property corner;

Thence, North 43 degrees 45 minutes 20 seconds East Grantor's, 48.03 feet, along the Grantor's northwesterly property line, to a rebar set on the proposed northeasterly right of way line of U.S. 27;

Thence, South 49 degrees 13 minutes 48 seconds East, along the proposed northeasterly right of way line of U.S. 27 a distance of 77.87, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
110-WD
BUT-27-18.55
08/08/07

Thence, North 43 degrees 45 minutes 53 seconds East, 18.36 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 51 degrees 07 minutes 01 seconds East, 155.25 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 75 degrees 43 minutes 27 seconds East, 55.99 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 46 degrees 47 minutes 59 seconds East, 29.73 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set on the Grantor's southeasterly property line;

Thence, South 43 degrees 45 minutes 24 seconds West, 111.70 feet, along Grantor's easterly property line, to **TRUE POINT OF BEGINNING** containing **0.5505 acres, of which 0.4418 acres are Present Road Occupied.**

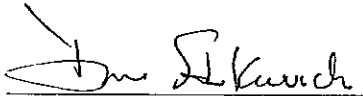
Of the above described area, 0.4974 acres of land, of which 0.4012 acres are present road occupied, are contained in Auditor Parcel Number H4100028000001, and 0.0531 acres of land, of which 0.0406 acres are present road occupied, are contained in Auditor Parcel Number H4100028000008.

Grantor claims title by instrument(s) recorded in Official Record 5303, Page 611 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and are to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.


Dan Stankavich, P.S. 7122



August 8, 2007
Date

APPROVED


Jiny-Han Chen
CITY OF OXFORD

101 E. HIGH ST
OXFORD, OH 45056-1288

US 27 18.55
August 8, 2007

Parcel name: 110WD

North: 563583.9259	East : 1329307.4093
Line Course: N 46-22-01 W	Length: 109.32
North: 563659.3607	East : 1329228.2863
Curve Length: 201.56	Radius: 22918.30
Delta: 0-30-14	Tangent: 100.81
Chord: 201.56	Course: N 46-06-54 W
Course In: N 43-37-59 E	Course Out: S 44-08-13 W
RP North: 580247.0277	East : 1345042.7665
End North: 563799.0812	East : 1329083.0192
Line Course: N 43-45-20 E	Length: 48.03
North: 563833.7731	East : 1329116.2360
Line Course: S 49-13-48 E	Length: 77.87
North: 563782.9221	East : 1329175.2098
Line Course: N 43-45-53 E	Length: 18.36
North: 563796.1815	East : 1329187.9094
Line Course: S 51-07-01 E	Length: 155.25
North: 563698.7259	East : 1329308.7605
Line Course: S 75-43-27 E	Length: 55.99
North: 563684.9193	East : 1329363.0215
Line Course: S 46-47-59 E	Length: 29.73
North: 563664.5676	East : 1329384.6936
Line Course: S 43-45-24 W	Length: 111.70
North: 563583.8886	East : 1329307.4422

Perimeter: 807.87 Area: 23,981 sq.ft. 0.5505 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0497 Course: S 41-25-58 E
 Error North: -0.03729 East : 0.03292
 Precision 1: 16,253.72

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
110-T
BUT-27-18.55
08/06/07

**PARCEL 110-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1942 and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's northwesterly property line and the existing northeasterly right of way line of U.S. 27, said point being 48.03 feet right of station 1006+11.50 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, North 43 degrees 45 minutes 20 seconds East along Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1942 a distance of 19.61 feet to a point;

Thence, South 46 degrees 14 minutes 45 seconds East a distance of 36.00 feet to a point;

Thence, South 57 degrees 44 minutes 12 seconds East a distance of 47.72 feet to a point;

Thence, South 51 degrees 07 minutes 01 seconds East a distance of 163.35 feet to a point on the proposed northeasterly right of way line of U.S. 27;

Thence, North 75 degrees 43 minutes 27 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 15.01 feet to a point;

Thence, North 51 degrees 07 minutes 01 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 155.25 feet to a point;

Thence, North 43 degrees 45 minutes 53 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 18.36 feet to a point;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
110-T
BUT-27-18.55
08/06/07

Thence, North 49 degrees 13 minutes 48 seconds West along the existing northeasterly right of way line of U.S. 27 a distance of 77.87 feet to the **TRUE POINT OF BEGINNING** containing **0.0586 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 6, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.





Dan Stankavich, P.S. 7122

August 6, 2007
Date

US 27 18.55
August 6, 2007

Parcel name: 110T

North: 563847.9728	East : 1329129.7558
Line Course: S 46-14-45 E	Length: 36.00
North: 563823.0765	East : 1329155.7591
Line Course: S 57-44-12 E	Length: 47.72
North: 563797.6030	East : 1329196.1113
Line Course: S 51-07-01 E	Length: 163.35
North: 563695.0628	East : 1329323.2677
Line Course: N 75-43-27 W	Length: 15.01
North: 563698.7642	East : 1329308.7212
Line Course: N 51-07-01 W	Length: 155.25
North: 563796.2197	East : 1329187.8701
Line Course: S 43-45-53 W	Length: 18.36
North: 563782.9604	East : 1329175.1705
Line Course: N 49-13-48 W	Length: 77.87
North: 563833.8113	East : 1329116.1967
Line Course: N 43-45-20 E	Length: 19.61
North: 563847.9756	East : 1329129.7586
Line Course: S 46-14-06 E	Length: 0.00
North: 563847.9756	East : 1329129.7586

Perimeter: 533.16 Area: 2,554 sq.ft. 0.0586 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0039 Course: N 45-37-25 E

Error North: 0.00274 East : 0.00280

Precision 1: 136,710.26

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE TO PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT THE CORNER OF OXFORD COLLEGE CORNER ROAD AND TODD ROAD FOR THE PURPOSE OF PERMANENT RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION I: The City Council of Oxford, Ohio by Resolution No. ____ passed _____, declared its intention to appropriate certain real property hereinafter described as permanent rights-of-way and temporary easements for construction for the purpose of widening of Oxford College Corner Road from two lanes to three lanes to incorporate a center turn lane which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate has been served upon the owner of, person in possession of, or person having a record interest in the said property according to law, and a return of service has been made to the City. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION II: The City's acquisition of the real property described in Section III here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION III: The lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 118-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 118-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION IV: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION V: The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION VI: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, and general welfare of the City of Oxford. The reason for said emergency is the immediate necessity to assemble properties necessary to construct public improvements. Therefore, this ordinance shall become effective immediately.

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

Agenda Item 5

5F + 6A5

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
118-WD
BUT-27-18.55
11/12/07

PARCEL 118-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

APPROVED
BY BCFO BB
2-25-09

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in City of Oxford, County of Butler, and State of Ohio, being a part of Original Oxford Township Section 16, T5N, R1E, being also a part of Lot 5 and Lot 6, and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book _____, Page _____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a magnetic nail found at the northeast corner of Lot 5, said nail also being the southeast corner of Lot 6, said point also being on the centerline of Todd Road, and also being on the Grantor's easterly property line and being located 376.66 feet right of centerline Station 1023+69.62 of U.S. 27 and at centerline Station 5+28.08 on the centerline of Todd Road, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described;

Thence, South 02 degrees 16 minutes 58 seconds West, 528.08 feet, along the east line of Lot 5 and the centerline of right of way of Todd Road, the Grantor's easterly property line, and the centerline of right of way of Todd Road, to a point in the centerline of U.S. 27, said point also being the Grantor's southeasterly corner;

Thence 139.88 feet, along the Grantor's southwesterly property line and the centerline of right of way of US 27, and along an arc of a curve to the right having a radius of 12277.70 feet, a central angle of 00 degrees 39 minutes 10 seconds, and a chord which bears North 43 degrees 25 minutes 36 seconds West, 139.87 feet, to a rebar to be set in a monument box at a point of tangency;

Thence, North 43 degrees 06 minutes 01 seconds West, 978.37 feet, along the centerline of right of way of U.S. 27 and the Grantor's southwesterly property line, to point at the Grantor's northwesterly property corner;

Thence, North 46 degrees 53 minutes 59 seconds East, 52.95 feet, along the Grantor's northerly property line, to a rebar set on the existing northeasterly right of way line of U.S. 27;

Thence, South 41 degrees 39 minutes 26 seconds East, 117.02 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
118-WD
BUT-27-18.55
11/12/07

Thence, South 47 degrees 59 minutes 58 seconds East, 351.28 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 43 degrees 06 minutes 01 seconds East, 440.06 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, North 88 degrees 41 minutes 50 seconds East, 14.00 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, North 14 degrees 37 minutes 38 seconds East, 223.23 feet, to a rebar set on the existing west right of way line of Todd Road;

Thence North 02 degrees 16 minutes 58 seconds East, 104.67 feet, along the existing west right of way line of Todd Road, to a point on the north line of Lot 5;

Thence South 87 degrees 18 minutes 18 seconds East, 33.00 feet, to **TRUE POINT OF BEGINNING** containing **2.2519** acres, of which **2.1276** acres are **Present Road Occupied**.

Of the above described area, 1.7116 acres, of which 1.5873 acres are present road occupied, are in Lot 5 and 0.5403 acres, of which 0.5403 acres area present road occupied, are in Lot 6.

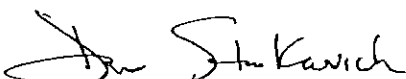
The above described area is contained in Auditor Parcel Number H36100016000002.

Grantor claims title by instrument(s) recorded in Deed Book 7717, Page 1345 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and are to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.

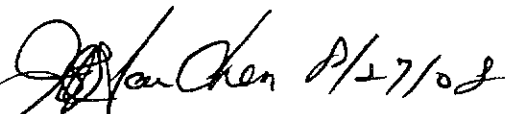

Dan Stankavich, P.S. 7122



VOLUME 51 PAGE 159 V.W.
BUTLER COUNTY ENGINEER
LAND
RECORD OF SURVEYS

Nov 12, 2007
Date

APPROVED

 P/27/08

CITY OF OXFORD
101 E. HIGH ST
OXFORD, OH 45056-1887

US 27 18.44
August 10, 2007

118WD.txt

Parcel name: 118WD

Curve	North: 564774.8323	East : 1328096.4778
	Length: 139.88	Radius: 12277.70
	Delta: 0-39-10	Tangent: 69.93
	Chord: 139.87	Course: N 43-25-36 W
	Course In: N 46-14-49 E	Course Out: S 46-53-59 W
RP	North: 573265.4951	East : 1336964.9930
End	North: 564876.4212	East : 1328000.3203
Line	Course: N 43-06-01 W	Length: 978.37
	North: 565590.7868	East : 1327331.8222
Line	Course: N 46-53-59 E	Length: 52.95
	North: 565626.9664	East : 1327370.4842
Line	Course: S 41-39-26 E	Length: 117.02
	North: 565539.5367	East : 1327448.2642
Line	Course: S 47-59-58 E	Length: 351.28
	North: 565304.4819	East : 1327709.3138
Line	Course: S 43-06-01 E	Length: 440.06
	North: 564983.1682	East : 1328009.9968
Line	Course: N 88-41-50 E	Length: 14.00
	North: 564983.4865	East : 1328023.9932
Line	Course: N 14-37-38 E	Length: 223.23
	North: 565199.4815	East : 1328080.3653
Line	Course: N 02-16-58 E	Length: 104.67
	North: 565304.0684	East : 1328084.5344
Line	Course: S 87-18-18 E	Length: 33.00
	North: 565302.5168	East : 1328117.4979
Line	Course: S 02-16-58 W	Length: 528.08
	North: 564774.8558	East : 1328096.4637

Perimeter: 2982.54 Area: 98,091 sq.ft. 2.2519 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0274 Course: N 30-45-56 W
Error North: 0.02355 East : -0.01402
Precision 1: 108,851.82

EXHIBIT B

PHD
PARCEL
CTY-RTE-SUT
Version Date

Page 1 of 2
77099
118-1
BUT-27-18.55
08/10/17

**PARCEL 118-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on the existing northeasterly right of way line of U.S. 27, said point being 80.00 feet right of station 1022+09.94 the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, North 43 degrees 06 minutes 01 seconds West, 440.06 feet, along the existing northeasterly right of way line of U.S. 27, to a point;

Thence, North 47 degrees 59 minutes 58 seconds West, 34.37 feet, along the existing northeasterly right of way line of U.S. 27, to a point;

Thence, North 55 degrees 12 minutes 47 seconds East, 6.00 feet, to a point;

Thence, South 43 degrees 06 minutes 01 seconds East, 340.00 feet, to a point;

Thence, South 46 degrees 04 minutes 54 seconds East a distance of 142.97 feet to a point on the proposed northeasterly right of way line of U.S. 27;

Thence, South 88 degrees 41 minutes 50 seconds West, 14.00 feet, along the proposed northeasterly right of way line of U.S. 27, to the **TRUE POINT OF BEGINNING** containing **0.0455 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

EXHIBIT A

PHD
PARCEL
CTY-RTE-SEC
Version Date

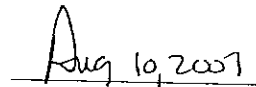
Page 2 of 2
77099
118-T
BL 1-27-18 55
08/10/07

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 10, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122





Date

US 27 18.55
August 10, 2007

Parcel name: 118T

North: 564983.1502	East : 1328010.0091
Line Course: N 43-06-01 W Length: 440.06	
North: 565304.4640	East : 1327709.3261
Line Course: N 47-59-58 W Length: 34.37	
North: 565327.4622	East : 1327683.7844
Line Course: N 55-12-47 E Length: 6.00	
North: 565330.8854	East : 1327688.7121
Line Course: S 43-06-01 E Length: 340.00	
North: 565082.6313	East : 1327921.0264
Line Course: S 46-04-54 E Length: 142.97	
North: 564983.4627	East : 1328024.0119
Line Course: S 88-41-50 W Length: 14.00	
North: 564983.1444	East : 1328010.0155

Perimeter: 977.40 Area: 1,981 sq.ft. 0.0455 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086	Course: S 47-43-58 E
Error North: -0.00579	East : 0.00637
Precision 1: 113,651.16	

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: July 7, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

June 30, 2009
Date Prepared

Agenda Title: Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances.

Recommendation:

Discussion: The Oxford Codified Ordinances are usually updated once each year to incorporate all legislation passed by City Council as well as any changes in State laws. This Ordinance is to approve the update.

The update includes legislation adopted through April, 2009.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

ORDINANCE NO.

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 2009 Replacement Pages so the Codified Ordinances are hereby approved and adopted.

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

Traffic Code

301.19	Definition of Motorcycle. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
335.031	Driving With Probationary License; Curfew. (Amended)
335.05	Wrongful Entrustment of a Motor Vehicle. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
337.26	Child Restraint system Usage. (Amended)
339.11	Use of Studded Tires and Chains. (Amended)
341.03	Prerequisites to Operation of a Commercial Vehicle. (Amended)
373.02	Riding Upon Bicycle and Motorcycle Seats. (Amended)

General Offenses Code

501.06	Limitation on Criminal Prosecution. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
513.03	Controlled Substance Possession or Use. (Amended)
525.02	Falsification. (Amended)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
529.07	Open Container Prohibited. (Amended)
533.06	Voyeurism. (Amended)
549.07	Underage Purchase of a Firearm.
537.02	Vehicular Homicide and Manslaughter. (Amended)
537.03	Assault. (Amended)
537.14	Domestic Violence. (Amended)
537.15	Temporary Protection Order. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
545.05	Petty Theft. (Amended)

549.01 Weapons and Explosives Definitions. (Amended)
549.02 Carrying Concealed Weapons. (Amended)
549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)

Fire Prevention Code

1511.01 Open Burning Definitions. (Amended)
1511.03 Open Burning Restricted. (Amended)
1511.04 Permission From and Notification to the Ohio EPA. (Amended)
1511.05 Open Burning, Bonfires and Recreational Fires. (Amended)

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 hereby attached to this Ordinance 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 time allowed by law.

MAYOR

ADOPTED:
ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 7/7/09

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

6/30/09
Date Prepared

Agenda Title: 2009 SUPPLEMENTAL BUDGET #6

Recommendation: Approve

Discussion:

Supplements to the 2009 Budget

1999 Parks Improvement Debt Service Fund

Sale of Bonds 2,617,507.50

Increase in revenue

Represents proceeds from the sale of refinancing bonds to close on 7/7/09.

Issuance Cost 91,414.66

From fund balance

Appropriation needed to record Bond Counsel and other issuance cost (see attached) as well as underwriter's fees and redemption premium associated with our bond refinancing.

Principal Payment 2,455,000.00

From fund balance

This represents payment of the outstanding principal of 1999 Parks Improvement Bonds.

Interest Payment 67,698.75

From fund balance

This represents payment of the interest associated with the principal of 1999 Parks Improvement Bonds.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 6/30
[Signature] 7-1-09

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 6 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009.

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 estimated revenues be made:

1999 PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152 2,617,507.50

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

1999 PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152	2,455,000.00
1999 PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152	91,414.66
1999 PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152	67,698.75

SECTION 4: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

SOURCES AND USES OF FUNDS

City of Oxford, Ohio
Series 2009: LTGO Park Improvement Refunding Bonds
* FINAL SCHEDULES *
** As of June 23, 2009 **

Dated Date 07/07/2009
Delivery Date 07/07/2009

Sources:

Bond Proceeds:	
Par Amount	2,595,000.00
Net Premium	22,507.50
	2,617,507.50

Uses:

Refunding Escrow Deposits:	
Cash Deposit	0.31
SLGS Purchases	2,569,315.00
	2,569,315.31

Cost of Issuance:	
Bond Counsel (Peck Shaffer)	5,190.00
POS / OS Prep (Peck Shaffer)	5,000.00
Credit Rating (Moody's)	5,900.00
Paying Agent	2,000.00
Escrow Trustee	500.00
OMAC	2,595.00
CUSIP	350.00
Printing & Postage	2,500.00
Escrow Verification	2,500.00
SIFMA	77.85
DTC	188.00
I-Deal	129.75
Miscellaneous	1,000.00
	27,930.60

Underwriter's Discount:	
Average Takedown	9,783.15
Management Fee	7,084.35
	16,867.50

Other Uses of Funds:	
Additional Proceeds	3,394.09
	2,617,507.50

ESCROW REQUIREMENTS

City of Oxford, Ohio
Series 2009: LTGO Park Improvement Refunding Bonds
* FINAL SCHEDULES *
** As of June 23, 2009 **

Dated Date 07/07/2009
Delivery Date 07/07/2009

Period Ending	Interest	Principal Redeemed	Redemption Premium	Total
12/01/2009	67,698.75	2,455,000.00	49,100.00	2,571,798.75
	67,698.75	2,455,000.00	49,100.00	2,571,798.75

)
)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: June 2, 2009

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

May 19, 2009

Date Prepared:

Agenda Title:	PC-03-2009 CONDITIONAL USE – 5017 College Corner Pike, Enterprise Rent-A-Car, addition of an auto rental in a General Business (GB) District to an existing auto body repair business, Kelly Simon, Applicant
----------------------	--

Recommendation:	Approve with Condition
------------------------	-------------------------------

Discussion:

The Applicant seeks a Conditional Use permit to establish a rental car facility in conjunction with a pre-existing repair shop. The Applicant wishes to locate the rental office inside the existing building, approximately 200 sq.ft., employing one full-time and one part-time employee, and storing 8 cars on the premises. Enterprise would also utilize approximately 600 sq.ft. of the basement for vehicle cleaning. The site plan illustrates reserved spaces on the south side of the site for the sole use of Enterprise and additional treescape will be provided along College Corner Pike. Staff suggested at the Planning Commission hearing that the number of vehicles allowed on the lot at one period of time be limited to a set number (similar to a condition that was added when its current location was approved) and that a condition be added that cars should not be parked along College Corner Pike.

Planning Commission Members deliberated staff recommendations and ultimately voted 4-0-0 to recommend **APPROVAL** to City Council with the following condition:

1. That, vehicles are managed on the site to allow for free flow through the site.

Approved By:

Department Head:

City Attorney:

A. City Manager:

Initial Date

JHC | 5/21/09

TJB | 5/29/09

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR AN AUTOMOBILE RENTAL BUSINESS IN THE GENERAL BUSINESS (GB) DISTRICT AT 5017 COLLEGE CORNER PIKE, OXFORD OHIO, WITH A CONDITION.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on May 12, 2009 for the purpose of considering the request of Kelly Simon, Applicant, Agent, for a conditional use permit for an automobile rental business in the General Business (GB) District at 5017 College Corner Pike, Oxford, Ohio.

SECTION 2: The Planning Commission, after public hearing and discussion, voted to approve a motion recommending approval of the conditional use application for an automobile rental business in the General Business (GB) District at 5017 College Corner Pike, Oxford, Ohio with the following condition:

- a. Any vehicles associated with this Conditional Use Permit are managed on the site in such a manner that the flow of vehicle traffic through the site is neither hampered nor impeded.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application for an automobile rental business in the General Business (GB) District at 5107 College Corner Pike, Oxford, Ohio, with the condition set forth above incorporated into the approval.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY 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 19, 2009
<u>Case Number</u>	PC-03-2009
<u>Applicant Information</u>	Kelly Simon, Agent for Enterprise Rent-A-Car
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	To allow for an Auto Rental Business in a General Business (GB) District.
<u>Public Hearing Information</u>	On May 12, 2009 a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on April 3, 2009.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 to recommend to City Council <i>APPROVAL</i> of the Auto Rental Business with the following condition: 1. That, vehicles are managed on the site to allow for free flow through the site.
<u>Commission Findings and Conclusions</u>	At the May 12, 2009 meeting, the Planning Commission approved the Auto Rental Business with condition on the basis that all of the Decision Standards were satisfied.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated April 9, 2009 2. Interoffice Review Transmittal Sheets to Fire, Engineering, Police 3. Letter of Agency 4. Application 5. Transmittal Letter from Applicant Dated March 26, 2009 6. Project Description 7. Statement of Proposed Conditional Use Compliance with Decision Standards. 8. Site Plan 9. Building Floor Plans 10. Existing Site Photos 11. Signage Design

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-03-2009

Date – May 12, 2009

APPLICATION

Applicant:	Kelly Simon, Agent for Enterprise Rent-A-Car
Location:	5017 College Corner Pike
Owner:	Mike Libecap; Thomas Rohrer, Tr. Et Al
Action Request:	CONDITIONAL USE – 5017 College Corner Pike, Enterprise Rent-A-Car, Addition of an Auto Rental in a General Business (GB) District to an Existing Auto Body Repair Business [Section 1143.12(b)(2)(A)(6)]
Current Use:	CARSTAR Collision and Auto Repair Shop
Surrounding Existing Land Uses:	Business/Retail, Shopping Center, Restaurants

DESCRIPTION

The Applicant seeks a Conditional Use permit to establish a rental car facility in conjunction with a pre-existing repair shop. The building currently exists as CARSTAR, a collision and auto repair station. The Applicant wishes to locate the rental office inside the existing building, approximately 200 sq.ft., employing one full-time and one part-time employee, and storing 8 cars on the premises. Enterprise would also utilize approximately 600 sq.ft. of the basement for vehicle cleaning. The site plan illustrates reserved spaces on the south side of the site for the sole use of Enterprise and additional treescape will be provided along College Corner Pike.

HISTORY

No prior history involving this particular property with the Planning Commission. Enterprise received Conditional Use approval in Case# PC 11-2006 for its current location at 5180 College Corner Pike.

ZONING CODE

Section 1143.12(b)(2)(A)(6) allows the sale of motorcycles and used motor vehicles, rental and service of motor vehicles, sales and rental of boats and marine equipment, and sales and rental of trailers as a conditional use. Chapter 1147 regulates Conditional Uses. Section 1147.03 regulates Use Specific Regulations & Potential Concerns and does not show any specific concerns or regulations for automobile rental businesses.

The site is currently zoned GB-General Business. This property has been used as an automobile repair center prior to CARSTAR relocating when under the former Chrysler & GM car dealer operations. The plan would tie two related businesses together that have been intertwined previously.

COMPREHENSIVE PLAN

The Comprehensive Plan indicates this site is included in the Corridor Enhancement Area. The development intent for this corridor includes the enhancement of landscaping, signage and access along the corridor to improve the local image when entering the city. The site for many years has been vacant.

Infill development, redevelopment and reuse of vacant and underutilized properties are a priority of the Comprehensive Plan.

According to Chapter 3 of the Comprehensive Plan (Pg. 3.23), Objective 6, the U.S. 27 (CCP) corridor should be developed and redeveloped in a planned and coordinated manner. This is achieved through land use strategies:

LU 4.2 Enhance U.S. 27 with sidewalks, curbing, gutters, and street trees to create a welcoming gateway into the community.

LU 5.1 Focus future efforts on infill development and redevelopment of existing sites and not physical expansion of the commercial district.

LU 6.3 Encourage designs which place parking to sides and rear of structures as properties are developed and redeveloped, placing the structures closer to the frontage.

LU 6.4 New development should include green space to buffer neighboring uses.

COMMENT FORMS

No public comment forms have been received to date.

AGENCY REVIEWS

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

Police:	States that this is a great location for this type of business.
Fire:	Comments returned with no comments on this request.
Engineering:	Comments returned with no comments on this request.
Econ. Dev.:	Recused. Neighboring Property Owner

DECISION CRITERIA

A copy of the Zoning Code Conditional Use Decision Standards is attached.

ANALYSIS

The proposed use is in fact a conditional use in the GB District and appears to satisfy all of the Decision Standards. Attributes of the Comprehensive Plan are achieved with the joint business operations, side parking area, infill development/reuse of underutilized properties and landscaping upgrades. While these may not be inclusive of all the intentions of the Comprehensive Plan, they are steps in the right direction. Modifications to the zoning regulations are needed to accomplish more Comprehensive Plan goals, objectives and strategies for this type of site reuse.

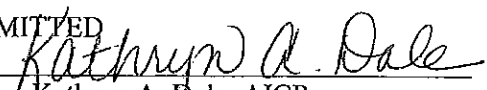
The only suggestions that Staff has is that the number of vehicles allowed on the lot at one period of time be limited to a set number, e.g. 15. Also, it is suggested that a condition be added that cars should not be parked along College Corner Pike. While cars may be permitted to be located along the Pike for the other users of the building, potentially in the future, over time, the streetscape could be improve substantially, similar to Kroger's recent approvals along Locust Street.

RECOMMENDATION

Not applicable.

SUBMITTED

BY:


Kathryn A. Dale, AICP
Community Development Department

DATE: April 9, 2009

PC-03-2009

ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

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

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 4/2/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2009

Description:

PC-03-2009 **CONDITIONAL USE** – 5017 College Corner Pike, Enterprise Rent-A-Car, addition of an auto rental in a General Business (GB) District to an existing auto body repair business, **Kelly Simon, Applicant**

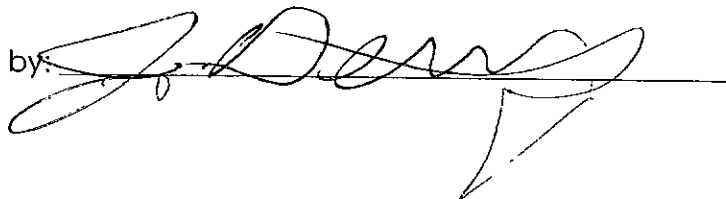
_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **5/4/2009** 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:



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 4/2/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2009

Description:

PC-03-2009 **CONDITIONAL USE** – 5017 College Corner Pike, Enterprise Rent-A-Car, addition of an auto rental in a General Business (GB) District to an existing auto body repair business, **Kelly Simon, Applicant**

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **5/4/2009** 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. [Signature] 4-6-09

To Eng 4/2/09 2:36pm

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 4/2/2009

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-03-2009

Description:

PC-03-2009 **CONDITIONAL USE** – 5017 College Corner Pike, Enterprise Rent-A-Car, addition of an auto rental in a General Business (GB) District to an existing auto body repair business, **Kelly Simon, Applicant**

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **5/4/2009** Note: If no comments are received, we will assume the project meets your department's standards.

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

A Great Location for this type of business!

Drawings reviewed by: JS Schwen

Quote

"A great location for this type of business!"



February 26, 2009

To Whom It May Concern:

As owner of CARSTAR of Oxford, I authorize Enterprise Rent a Car to file for a conditional use permit with the city of Oxford. This conditional use permit will pertain to the location of 5017 College Corner Pike, Oxford, Ohio.

Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Libecap", with a large, stylized loop at the end.

Mike Libecap
Owner

CARSTAR of Oxford Auto Body, Inc.

Case No.: PC-03-2009
Date Filed: 2/27/09

Conditional Use Permit Application
City of Oxford, Ohio

REQUIRED INFORMATION (print clearly)

Name of Applicant: Enterprise Rent-A-Car Company of Cincinnati
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 3670 Park 42 Drive
Cincinnati, OH 45241
Telephone Number(s): 513 956 3805
Location of Property: 5017 College Corner Pike
Legal Description: LOT 1183 PIN H4000015000009
Zoning District: GB
Total Area: 3.040 Acres / Square Feet (circle one) 1.3 acres
Existing Use: auto body repair, sales, service
Proposed Use: addition of auto rental

SUBMISSION REQUIREMENTS

The required fee of \$400.00, made payable to the City of Oxford, must accompany the application. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following:

1. North arrow
2. Scale
3. Vicinity Map
4. All existing and proposed lot lines within the site
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way
6. Location, height, and use of all proposed and existing structures
7. Location and design of all proposed vehicle management areas
8. Location, size, and type of all proposed signs
9. Location, height, and type of all proposed screening and landscaping
10. Distances to residential zoning districts if within 1,000 feet
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use
13. Photographs of the existing use and its surroundings.
14. Other information as required by the Planning Commission

Attach a statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

From: city of oxford

To: 99563811

03/03/2009 08:53

#054 P.002/002

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways.

NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.

All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

NOTE: Incomplete applications will not be processed.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date.


Signature of Applicant

Kelly Simon
Printed Name

Date: 2/27/09

FEE / RECEIPT

\$400 Fee Paid / Receipt Number: pd / 14491



Rent-A-Car Division
3670 Park 42 Drive
Cincinnati, OH 45241-2072
513-956-3800
enterprise.com

March 26, 2009

City of Oxford
Planning Commission
101 East High Street
Oxford, OH 45045

To Planning Commission Members:

I'd like to take this opportunity to provide you with some additional information about our company. Enterprise Rent-A-Car has grown to be the largest car rental company in North America. Today we are a \$10 billion dollar company with more than 6,000 locations in the United States, Canada, Germany, the United Kingdom, and Ireland. Enclosed with this letter I have included a fact sheet that details our background and also describes our Company's recent accolades and awards.

Enterprise Rent-A-Car opened for business in Oxford in 2002 inside of CarStar Autobody on Beech Street. Since then, we have built a long standing business partnership with Mike Libecap, owner of CarStar Autobody of Oxford. In 2006, we agreed to relocate to Mr. Libecap's CarStar Plus facility on 5180 College Corner Pike and received approval of Conditional Use from the City to do so. Due to his recent sale of the property and his relocation of the Autobody, we are seeking to again co-locate with Carstar Autobody of Oxford in their new facility. The property at 5017 College Corner Pike is such a property that can support the growth we have already and will continue to experience. The proposed use of the property at 5017 College Corner Pike is for the rental, storage, and parking of motor vehicles, for the cleaning (soap/water) and preparations (vacuuming) of such vehicles, for office, administrative and other uses incidental or related thereto.

Our existing Oxford location currently employs one full-time and one part-time employee. Our typical hours of operation are Monday-Friday 7:30-6 p.m. The number of vehicles on our lot fluctuates throughout the week. But typically, we have less than 5 vehicles sitting on our lot at any given time.

I hope this information will provide you with a better understanding of our intentions with the property. We look forward to meeting you and discussing this opportunity further. If you should need any more information please feel free to contact me at 513-956-3805 or 513-314-0499.

Sincerely,

Kelly Simon Regional
Operations Manager



CORPORATE FACT SHEET

ESTABLISHED:

1957

WORLD HEADQUARTERS:

St. Louis, Missouri

EXECUTIVES:

- Andrew C. Taylor, Chairman and CEO
- Donald L. Ross, Vice Chairman
- Pam Nicholson, President and COO
- Matt Darrah, Senior Vice President of North American Operations
- William Snyder, Executive Vice President and CFO
- Ed Adams, Senior Vice President of Human Resources
- Jim Runnels, Senior Vice President of Rental
- James Burrell, Senior Vice President of European Operations
- Lee Kaplan, Senior Vice President of Administration

BACKGROUND:

- Largest rental car company in North America
- Exceptionally low rates
- More than 7,000 offices located conveniently where people live and work
- Outstanding service that includes picking up customers at no extra cost
- Offices within 15 miles of 90 percent of the U.S. population

PRIMARY ACTIVITIES:

Specializes in renting vehicles to customers who:

- Need a car because of an accident, mechanical repair, or theft
- Want to take a short business or leisure trip or who need a different car for a special occasion
- Need a car in town for business purposes
- Need a car rental at the airport – now on-site at more than 240 airport locations

OPERATIONS:

- More than 6,000 offices in the United States
- More than 900 offices in Canada, United Kingdom, Germany, and Ireland

ENTERPRISE BUSINESSES

- Rent-A-Car, enterprise.com
- Fleet Management, enterprisefleet.com
- Car Sales, enterprisecarsales.com
- Commercial Trucks, enterprisetrucks.com

ANNUAL REVENUE (worldwide)

FY 2008: \$10.1 billion

FY 2007: \$9.5 billion

FY 2006: \$8.9 billion

FY 2005: \$8.2 billion

FY 2004: \$7.4 billion

FY 2003: \$6.9 billion

FY 2002: \$6.5 billion

FY 2001: \$6.3 billion

FY 2000: \$5.6 billion

RENTAL CAR VEHICLES IN SERVICE:

2008: 714,000 automobiles

2005: 667,000 automobiles

2000: 493,000 automobiles

1990: 90,000 automobiles

1980: 6,000 automobiles

1970: 500 automobiles

1963: Started rental operation with a fleet of 17 cars

1957: Leasing operation opened as Executive Leasing

ACCOLADES & AWARDS:

- Ranked on *BusinessWeek's* list of "Customer Service Champs" – 2007 and 2008
- Ranked by *BusinessWeek* as one of the "50 Best Places to Launch a Career" for past three years
- Recipient of a 2005 Secretary of Defense Employer Support Freedom Award for its support of employees serving in the National Guard and Reserve
- Ranked No. 18 on the *Forbes'* "500 Largest Private Companies in America" list
- Ranked highest in customer satisfaction by J.D. Power and Associates for rental car companies at or near airports 8 out of the last 9 years
- Largest college recruiter in the United States as reported by *Black Collegian* magazine and CollegeGrad.com
- Repeatedly ranks number one on the Market Metrix Hospitality Index in rental car industry customer satisfaction – 23 out of 24 times since MMHI was instituted in 2002
- Named by *Entrepreneur* magazine as "Best Rental Car Company" three years in a row
- Ranks in the Top 50 Most Respected Companies in the U.S. in survey of consumers conducted by Reputation Institute
- President and Chief Operating Officer Pam Nicholson named one of Fortune's 50 Most Powerful Women in Business for 2007 and 2008
- Honored by The National Arbor Day Foundation for Exemplary Tree Planting Efforts



Rent-A-Car Division
3670 Park 42 Drive
Cincinnati, OH 45241-2072
513-956-3800
enterprise.com

Description of Use and Site

Applicant:

Enterprise Rent-A-Car Company of Cincinnati
3670 Park 42 Drive
Cincinnati, OH 45241
513-956-3800

Owner:

Mike Libecap/CarStar Plus
5017 College Corner Pike
Oxford, OH

Statement from owner is attached.

Existing Use: CarStar Autobody of Oxford

Zoning District: GB

Description of proposed use:

The proposed use of the property at 5017 College Corner Pike is for the rental, storage, and parking of motor vehicles, for the cleaning (soap/water) and preparations (vacuuming) of such vehicles, for office, administrative and other uses incidental or related thereto. The proposed auto rental business would co-locate with CarStar Autobody of Oxford. If approved, the existing Enterprise location at 5180 College Corner Pike would relocate to the new property at 5017 College Corner Pike.

Compatibility of proposed use:

The existing use (auto repair establishment) and proposed use (auto rental) are related and would naturally interact at the property. The presence of an auto rental establishment at the property would provide convenience to residents in the community, including business travelers and Miami students.

The size of the building and lot are sufficient for the proposed use. The parcel has a paved area (refer to Exhibit A) that will accommodate orderly parking and also has ample room for overflow parking at the rear of the property should it ever be needed. Enterprise will have eight (8) assigned parking stalls (5 for fleet, 2 for employees, and 1 visitor). Four trees will be planted for screening as per 1149.05(a). The assigned office space (refer to Exhibit B) will be constructed of furniture panels. The proposed use will not be hazardous to any future neighboring uses permitted in the district and will not involve any operations that create excessive noise, odor, fumes,



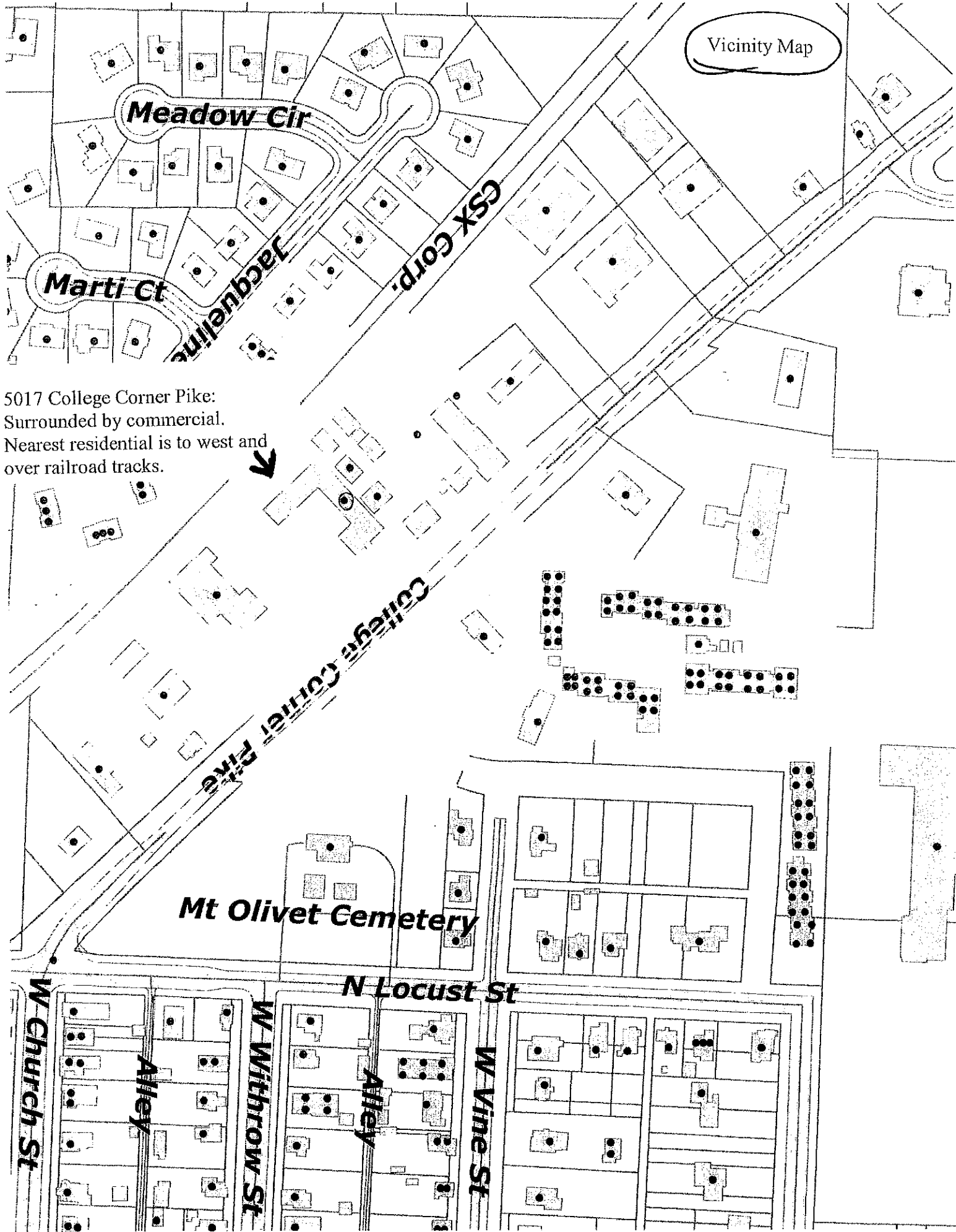
Rent-A-Car Division
3670 Park 42 Drive
Cincinnati, OH 45241-2072
513-956-3800
enterprise.com

or emissions. Vehicles would be hand washed and vacuumed inside the facility in a bay (refer to Exhibit C). The existing structure would not be altered for the proposed use nor would any additional public facilities or services be required to accommodate the proposed use.

The location proposed is appropriate for the use as it does not require any alteration of the structure, is in an area that is compatible with other businesses/uses, provides a convenience to the community, and is easy to access/find as it is on a main street.

Statement describing how the proposed Conditional Use meets the Decision Standards of the zoning district

- A. Motor Vehicle Rental is in fact a Conditional Use in the GB district
In 2006, Enterprise Rent-A-Car was granted Conditional Use approval to operate at 5180 College Corner Pike. With approval this location would relocate to the proposed property.
- B. The use and site satisfy the general intent of the Zoning code by providing a needed service to the community.
- C. The use and site are compatible with the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use and no structural alterations will be required. The proposed site is equal to, if not better suited as Enterprise's current location at 5180 College Corner Pike for the proposed use.
- E. The use is not hazardous or disturbing to neighboring uses in the GB district. The proposed use mirrors that of the use approved in 2006 in the GB district.
- F. The use does not involve activities, processes, materials, equipment or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, glare, odors or other emissions.
- G. There are no accessory uses.
- H. The use and site are adequately served by public facilities and services.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The use will not change the essential character of the area. No modification to existing structures will be done.
- K. The site design will not interfere with the movement of traffic on public streets.
- L. There is no proposed construction.
- M. All necessary permits and licenses for the Conditional Use and its operation can be obtained for the use at the proposed location



Vicinity Map

Meadow Cir

Marti Ct

Jacqueline St

CSX Corp.

College Corner Pike

Mt Olivet Cemetery

N Locust St

W Church St

Alley

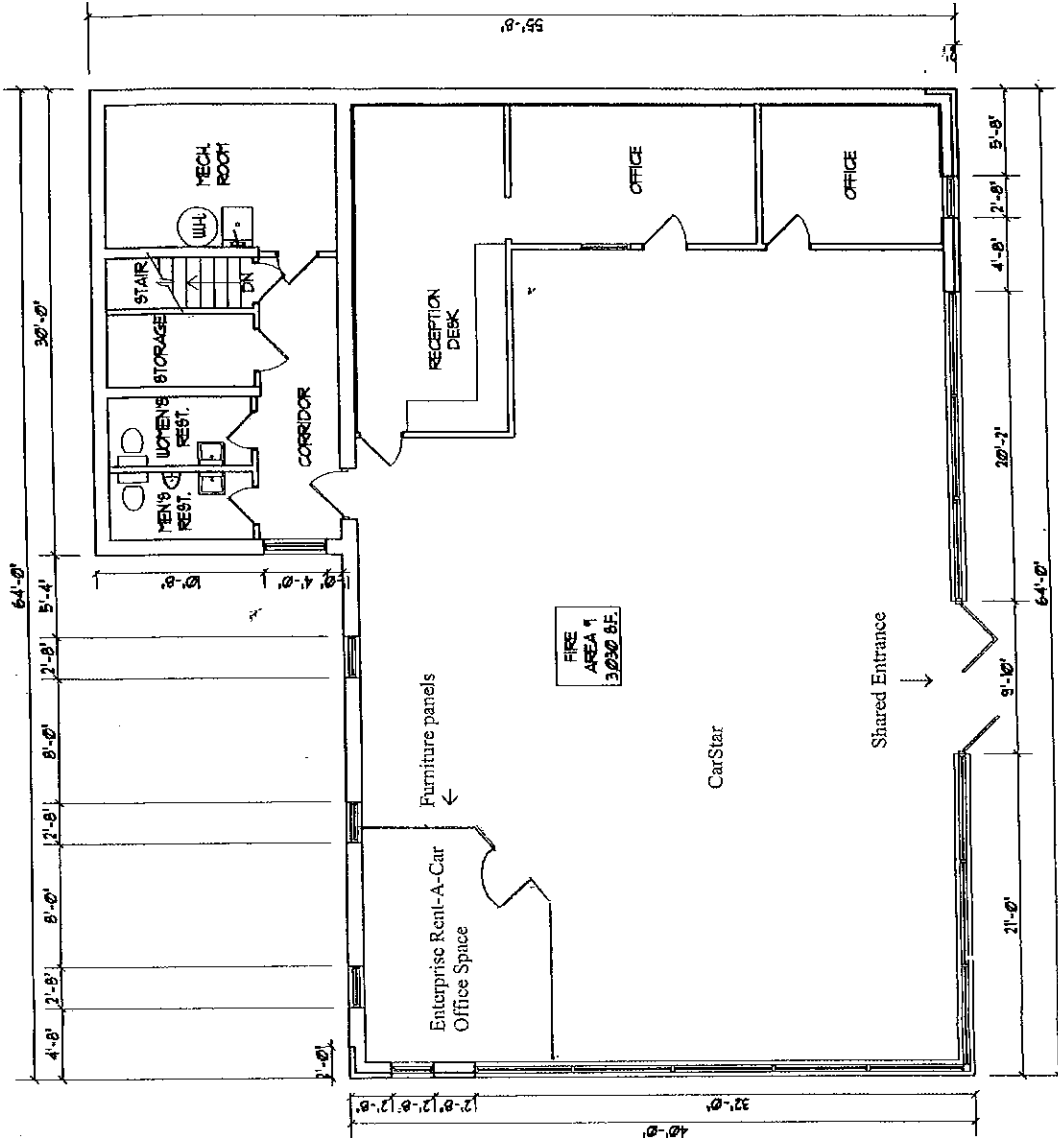
W Withrow St

Alley

W Vine St

5017 College Corner Pike:
Surrounded by commercial.
Nearest residential is to west and
over railroad tracks.

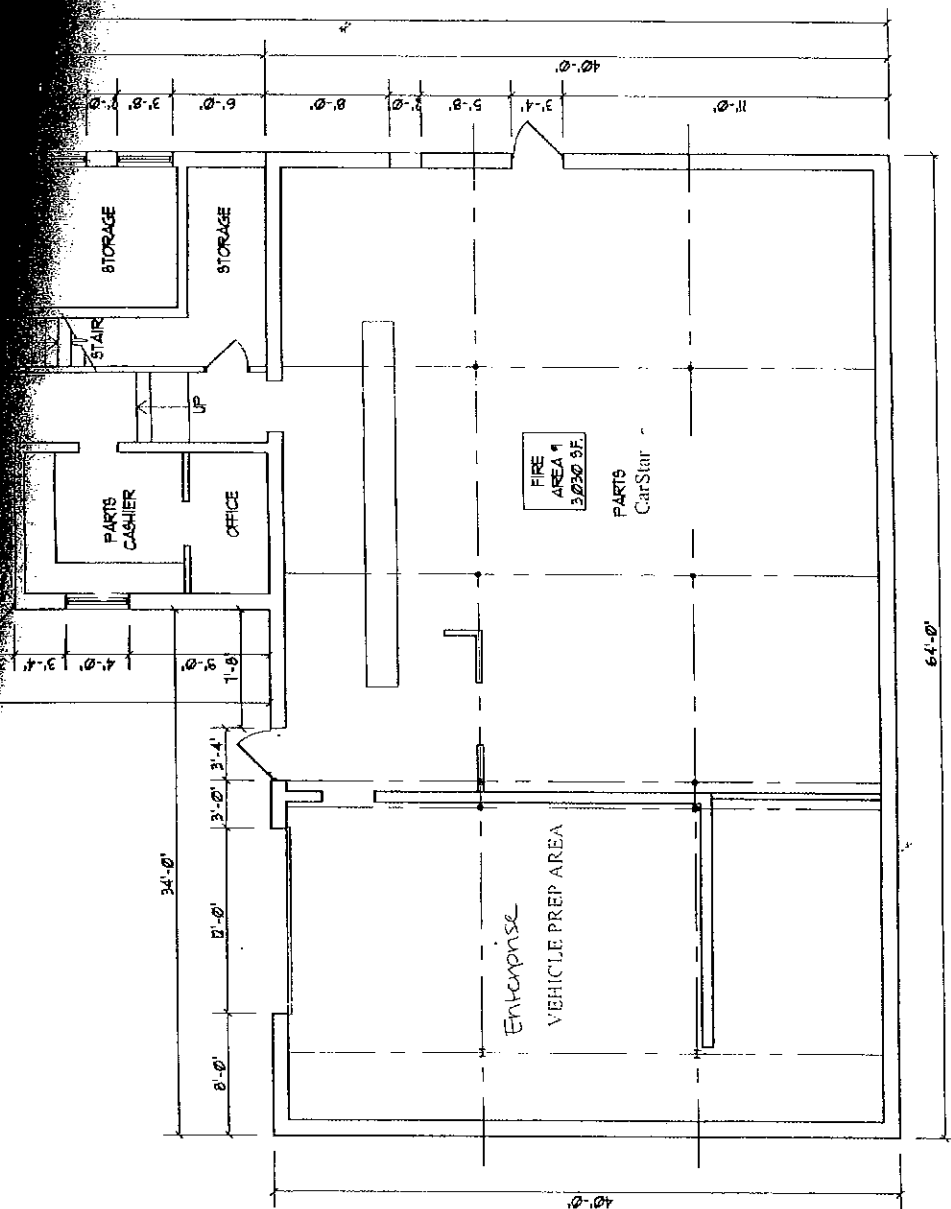


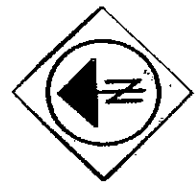


FIRST FLOOR PLAN

1/8" = 1'-0"

- A. OVERALL BUILDING AREA: 9,201 SF. (NO CHANGE)
- B. USE GROUP CLASSIFICATION: MIXED USE - NON-SEPARATED (NO CHANGE)
 FIRST FLOOR-BUILDING 1: 'B' BUSINESS AREA
 LOWER LEVEL-BUILDING 1: 'S-1' STORAGE
 FIRST FLOOR-BUILDING 2: 'S-1' STORAGE
 FIRST FLOOR-BUILDING 3: 'S-1' STORAGE
- C. TYPE OF CONSTRUCTION: 3B - NON-COMBUSTIBLE EXTERIOR WALLS, COMBUSTIBLE INTERIOR & ROOF
- D. HEIGHT & AREA LIMITATIONS: BASED USE GROUP 'B' (MOST RESTRICTIVE)
 ALLOWABLE HEIGHT: 4-STORY, 55'-0" ACTUAL HEIGHT: 1-STORY, 11'-0"
 ALLOWABLE AREA: 19,000 SF. ACTUAL AREA: 9,201 SF.
- E. PHYSICALLY HANDICAPPED ACCESSIBILITY: PROVIDED, (NO CHANGE)
- F. FIRE PROTECTION SYSTEM: EXISTING BUILDING 1 LOWER LEVEL FIRE SUPPRESSED, (NO CHANGE)
 FIRE AREA 1: 10,791 SF.
 FIRE AREA 2: 1,940 SF.
- G. OCCUPANT LOAD:
- | |
|--|
| FIRST FLOOR-BUILDING 1: (3,030 SF. • 100 GROSS) = 30 (NO CHANGE) |
| LOWER LEVEL-BUILDING 1: (3,030 SF. • 300 GROSS) = 10 (NO CHANGE) |
| FIRST FLOOR-BUILDING 2: (4,241 SF. • 300 GROSS) = 14 (NO CHANGE) |
| FIRST FLOOR-BUILDING 3: (25,623 SF. • 300 GROSS) = 6 (NO CHANGE) |
| TOTAL = 60 (NO CHANGE) |



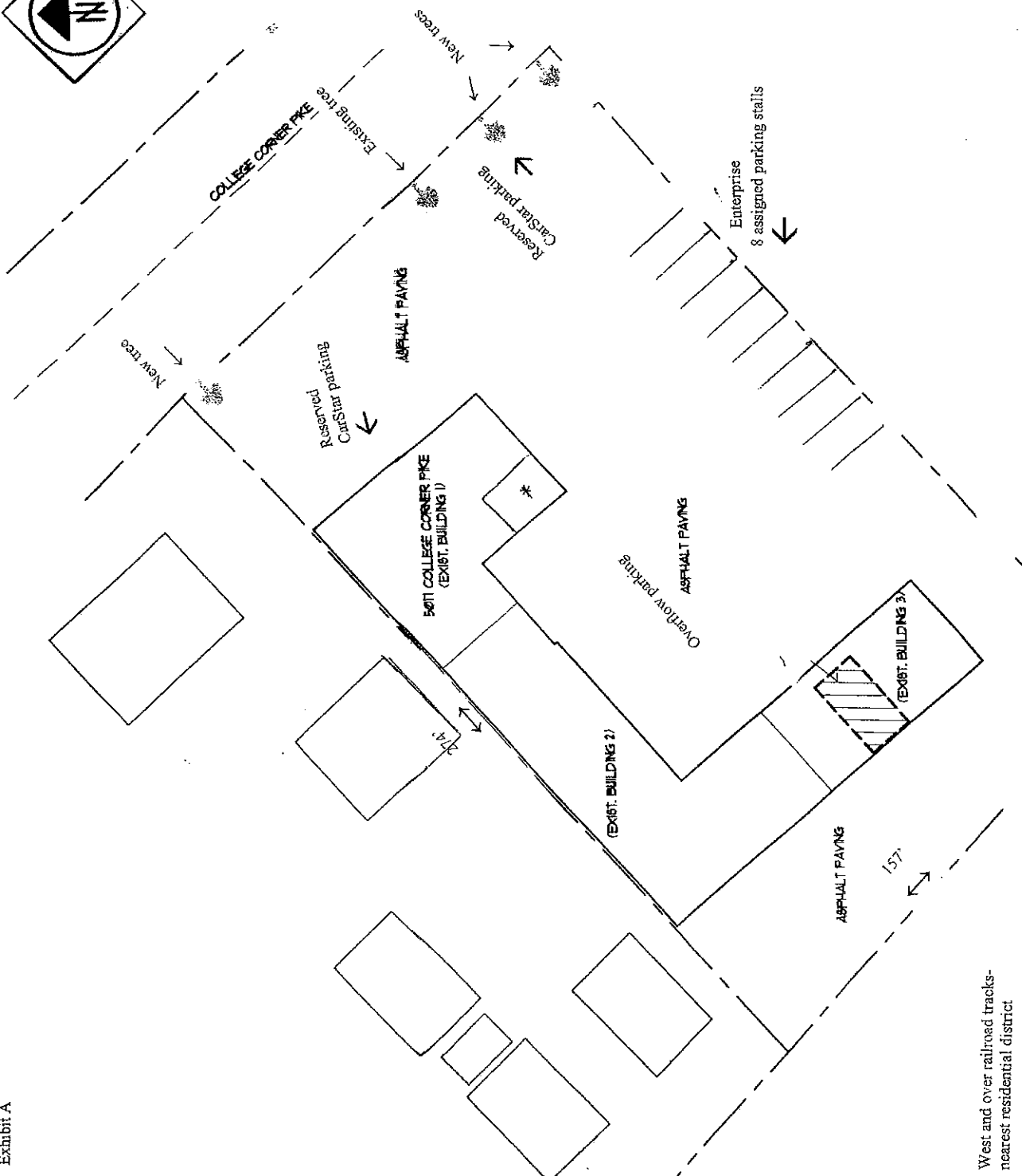


VEHICLE MANAGEMENT

8 assigned parking stalls
5 for fleet
2 for employees
1 visitor

Landscaping/Screening
3 new trees to be planted per
1149.05(a):
2 trees per parking facility and 1
tree per 5 spaces.

At time of planting, trees to be min.
6' tall and 2" diameter.



West and over railroad tracks-
nearest residential district

1"=30'

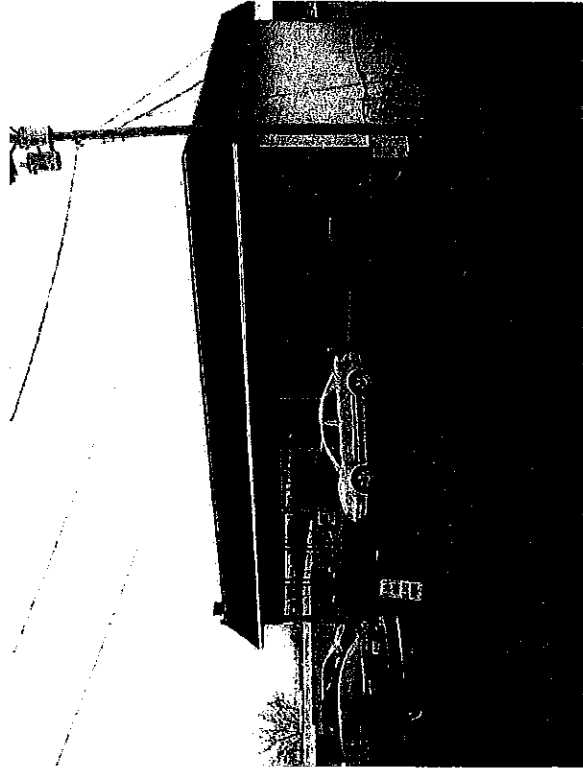
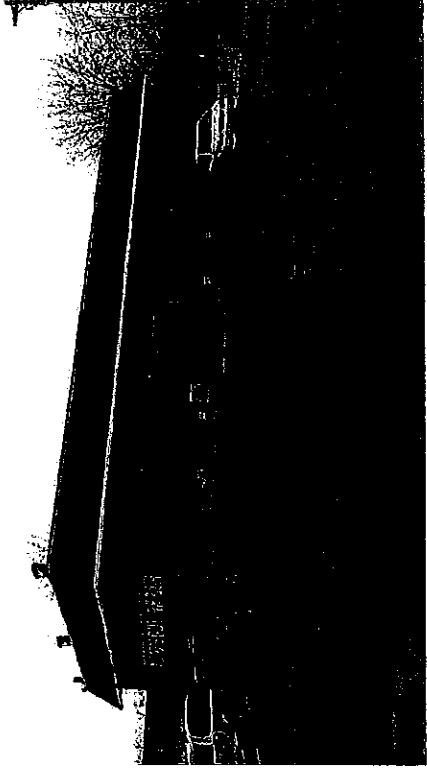


Exhibit A
5017 College Corner Pike
CarStar Autobody
Proposed use: add auto rental
Enterprise Rent-A-Car

20 ft

CARSTAR *Plus* Quality Collision Service

20 ft

Enterprise

5 ft



Proposed Signage for ERAC-CarStar New Facility Oxford, Ohio		NOTES FILE Oxford New Facility	Approved By: _____ Date: _____	 CARPENTER <i>Sign Service</i> The Carpenter Sign Service is the only provider of Carpenter Sign Service art. They must be registered with our office.	2026 Vine Street Cincinnati, Ohio 45202 (513) 381-7915 Fax (513) 381-8915
		DATE 9/24/03	Approved Approval _____ Date: _____		

CARSTAR OF OXFORD
+ AUTO BODY

enterprise
IMPORTS & EXPORTS

University **USED CARS**

24" {
→ 24" x 96"



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: June 2, 2009

Jung-Han Chen
Prepared By

Account Code No. #:

Budgeted Amount:

May 18, 2009
Date Prepared

Agenda Title:	PC-05-2009 ZONING CODE TEXT AMENDMENT to amend Section Chapter 1147.02 Issuance and Revocation of Conditional Use Permit, Section 1147.03 Use Specific Regulations and Potential Concerns, and Section 1159.07(10) Definition City of Oxford, Applicant
----------------------	---

Recommendation: Approve

Discussion:

In 2008, City Council established a Fraternity Ad-Hoc Committee to evaluate and propose recommendations related to the Conditional Use Requirements. The Committee spent a great deal of time focusing on concerns and requirements to devise recommendations that would clearly outline the expectations for future Applicants to adhere.

Three areas of significant changes are being proposed: the first one is the revocation of any existing Conditional Use Permits; the second area is concerns and design requirements for a fraternity house; the last one is the definition of a fraternity/sorority house.

The Student Community Relations Commission heard the presentation from staff concerning the changes being proposed at their March 20, 2009 meeting. The SCRC felt the changes were beneficial to allow future applicants to understand community expectations.

The Planning Commission made some modifications to ensure the Conditional Use Permit revocation process is the same as the approval process. Furthermore, the Commission requested that the verbiage in the summary sheet, presented as part of the staff report to the Commission, be incorporated into the proposed legislation.

Approved By:	Department Head:	Initial	Date
	City Attorney:	JHC	5/21/09
	City Manager:	JHC	5/21/09

ORDINANCE NO.

AN ORDINANCE AMENDING ZONING CODE SECTION 1147.02 ISSUANCE AND REVOCATION OF CONDITIONAL USE PERMIT, ZONING CODE SECTION 1147.03 USE SPECIFIC REGULATIONS AND POTENTIAL CONCERNS AND SECTION 1159.07(10) DEFINITIONS.

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 May 12, 2009 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended modifying Section 1147.02 Issuance and Revocation of Conditional Use Permit, Section 1147.03 Use Specific Regulations and Potential Concerns, and Section 1159.07(10) Fraternity/Sorority Definition.

SECTION II: Council hereby repeals Sections 1147.02, 1147.03 and 1159.07(10) of the Oxford Code of Ordinances and adopts new Sections 1147.02, 1147.03 and 1159.07(10) as follows:

1147.02 PROCEDURE

(a) Application. An application for a Conditional Use Permit shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

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

A. Application Fee

B. Description of Use and Site

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

1. The name, mailing address, and telephone number of the applicant and the property owner
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf
3. A legal description of the site, including all separate lots
4. A description of the existing uses of the site.
5. The zoning district in which the site is located
6. A description of the proposed use
 - a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles
 - b. The hours of operation
7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses

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

(b) Reapplication.

- (1) No application for a Conditional Use that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one year from the date denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this section. The Zoning Administrator may consider factors such as the nature or size of a proposal, changes in the development or traffic patterns of the area, or newly discovered evidence pertinent to a decision on a previous application.
- (2) An applicant may appeal the decision of the Zoning Administrator according to the Board of Zoning Appeals.

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

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

- (1) Burden of Proof

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
 - B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.
- (2) General Decision Standards All Conditional Uses shall satisfy these General Decision Standards.
- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
 - B. The use and site will satisfy the general intent of this Zoning Code.
 - C. The use and site will be compatible with the general intent of the Comprehensive Plan.
 - D. The size and shape of the site are sufficient for the proposed use.
 - E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
 - F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
 - G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
 - H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
 - I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
 - J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
 - K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
 - L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
 - M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

(d) Action by Planning Commission

- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or

modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

(e) Issuance and Revocation of Conditional Use Permit. The Zoning Administrator shall issue a Conditional Use Permit after the Planning Commission recommends and Council approves an application. Construction permits shall not be issued unless the plans substantially conform to those approved by Council. Any changes to a Conditional Use that are not approved by the Zoning Administrator shall constitute a violation of the Zoning Code.

(1) Expiration and Reinstatement of Conditional Use Permit. A Conditional Use Permit shall automatically expire if the Conditional Use ceases operation for more than one year. Expiration of a legal nonconforming Conditional Use is subject to the provisions of Chapter 1137- Nonconformities.

(2) Period of Validity

A. An approved Conditional Use must be substantially operational within 2 years of its approval. Applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval.

B. If an approved Conditional Use fails to meet these deadlines, the 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 will consider the request at its next regularly scheduled meeting. Such request does not require a public hearing.

C. If the scope of the approved Conditional Use has not changed and the proposed use still satisfies 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.

(3) Revocation of Conditional Use Permit. A Conditional Use Permit may be revoked by ~~the Planning Commission~~ City Council upon an affirmative recommendation from the Planning Commission if the existing Conditional Use Permit fails to meet one of the following requirements:

A. **The conditions of approval are not met or maintained.**

B. **The property ceases to be operated as an approved conditional use.**

C. **The continuance of the use would constitute a violation to the public health, safety and welfare.**

(f) Changes to a Conditional Use

(1) Minor Changes to an approved Conditional Use. An operator of an approved Conditional Use may submit a written request for approval of changes to the site or operating conditions of the use. The Zoning Administrator may administratively approve changes to a Conditional Use if such changes:

A. Do not change the use

B. Are of a magnitude that will not substantially alter the appearance of the use from off of the site

C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity

D. Will not substantially or detrimentally increase potential demand on public or private utilities

E. Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood

- F. Are not contrary to and in no way diminish the intent of the originally approved permit.

Administrative approvals shall be clearly documented and made part of the original Conditional Use permit on file.

- (2) Major Changes to an Approved Conditional Use. Any changes to an approved conditional use that do not meet the criteria of a minor change are considered a major change. A major change requires an entirely new Conditional Use application (including the fee), according to the provisions of this chapter.
- (4) Changes to a Conditional Use not procedurally approved. An existing use that is listed in this code as a Conditional Use, that is in a zoning district where such use is permitted as a Conditional Use, that was never approved by a legislative, quasi-judicial, or administrative review, and that was legal at the time of its establishment is considered an approved Conditional Use and is subject to the provisions of this chapter.

An existing use that is listed in this code as a Conditional Use and is in a zoning district where such use is not permitted is considered a legal nonconformity. Any proposed changes to such uses are subject to the provisions of Chapter 1137.

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS

The uses listed in this section are Conditional Uses in at least 1 zoning district. Each use is listed with Potential Concerns and may be listed with specific regulations.

The Potential Concerns are use-specific criteria that Planning Commission shall consider when it makes a recommendation to Council on an application for a Conditional Use. The Planning Commission may also consider additional use-specific concerns not listed here if it deems them appropriate.

The Additional Regulations are more strict or additional dimensional regulations or operational conditions that apply to the use, regardless of whether it is permitted or conditional, and regardless of the zoning district in which it is located, and are enforced by the Zoning Administrator.

- (a) General. Wherever no specific area, lot width, or setback requirements are specified in the provisions for specific Conditional Uses, then the dimensional regulations for the most restrictive permitted use in the applicable zoning district shall apply.

- (b) Uses.

(1) Agricultural Services

A. Potential Concerns

1. Produce and meat storage areas
2. Noise, dust, and odor from operations
3. Truck routes from municipal boundary
4. Temporary sales

B. Regulations

1. Farm product storage buildings shall be setback a minimum of 100 feet from a residential zoning district
2. No outdoor farm machinery repair unless entirely enclosed within a screening fence
3. Animal enclosures shall be setback a minimum of 200 feet from all lot lines

(2) Airports and Landing Strips

A. Potential Concerns

1. Aircraft noise
2. Dust from operations
3. Lighting
4. Proximity of powered aircraft on the ground to lot lines and adjacent uses

B. Regulations

1. Compliance with FAA regulations
2. Runway locations will not require height restrictions on other properties less than would normally be required by dimensional regulations of the zoning district
3. Runways and taxiing areas shall be setback a minimum of 100 feet from a residential zoning district
4. Aircraft storage and service buildings shall be setback a minimum of 100 feet from a residential zoning district

(3) Animal Hospitals, Veterinary Clinics, and Kennels

A. Potential Concerns

1. Traffic generation from associated retail sales
2. Location of diagnosis and outdoor activity areas relative public streets and residential zoning district
3. Design of facilities that will help ensure humane conditions and treatment of animals
4. Animal noise and odor

B. Regulations

1. Outdoor pens are not permitted
2. Outdoor activity shall be limited to diagnosis and temporary outdoor activity for boarded animals

(4) Bed & Breakfast

A. Potential Concerns

1. Appropriate number of rooms for the neighborhood in which it is proposed
2. Location of separate entrances

B. Regulations

1. No more than 8 rooms for rent in any structure
2. Owner or manager must live in the structure
3. At least one meal must be provided to guests on site

(5) Gas Station with Convenience Store

A. Potential Concerns

1. Adequate design of vehicle management area
2. Location of fuel pumps and pump canopy
3. Outdoor sales and storage

B. Regulations

1. All merchandise shall be located within a completely enclosed structure
2. Fuel pumps shall be setback a minimum of 30 feet from lot lines or 40 feet from a residential zoning district
3. Fuel pump canopies shall be set back a minimum of 20 feet from lot lines or 40 feet from a residential zoning district

(6) Vehicle Service and Repair

A. Potential Concerns

1. Proper design of vehicle management area

2. Proximity of service areas to lot lines and adjacent uses
 3. Outdoor sales and storage
 4. Tow truck storage
- B. Regulations
1. All disassembly, service, and assembly of vehicles shall be within a completely enclosed structure
 2. All service equipment and supplies shall be within a completely enclosed structure
 3. Vehicles being serviced or awaiting service shall not be stored in an unenclosed area for more than 7 days
 4. Vehicle service bays shall be setback a minimum of 100 feet from a residential zoning district

(7) Vehicle Washing Facility

- A. Potential Concerns
1. Design of vehicle management area
 2. Enclosure of potential nuisances
 3. Screening from adjacent uses residential
 4. Lighting
 5. Hours of operation
- B. Regulations
1. Wash bays shall be setback a minimum of 100 feet from a residential zoning district
 2. Outdoor equipment (such as vacuum stations) shall not be located in a yard adjacent to a residential zoning district
 3. Queuing spaces shall not be located in a yard adjacent to a residential zoning district

(8) Drive-Through Banking and Pharmacy Facilities

- A. Potential Concerns
1. Design of vehicle management area
 2. Noise from operations (vehicle and loudspeaker)
 3. Screening from adjacent uses
- B. Regulations
1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district
 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district

(9) Drive-Through Convenience and Beverage Facilities

- A. Potential Concerns
1. Design of vehicle management area
 2. Noise from operations (vehicle and loudspeaker)
 3. Proximity to churches, schools, other similar institutions
 4. Location and adequacy of dumpsters
- B. Regulations
1. Structure shall be setback a minimum of 50 feet from a residential zoning district
 2. Drive-through stations shall be completely enclosed
 3. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district
 4. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district

(10) Drive-Through Restaurant Facilities

A. Potential Concerns

1. Design of vehicle management area
2. Noise from operations (vehicle and loudspeaker)
3. Signs and menu boards
4. Location and adequacy of dumpsters

B. Regulations

1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district
2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district
3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district

(11) Bars and Taverns

A. Potential Concerns

1. Evening traffic
2. Noise from operations (music)
3. Location and adequacy of dumpsters

B. Regulations

1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district
2. Structure shall be setback a minimum of 50 feet from a residential zoning district

(12) Indoor Sports and Recreation Facilities such as Bowling Alleys, Skating Rinks, Tennis and Racquetball Courts, Soccer Fields, and Swimming Pools

A. Potential Concerns

1. Traffic volume during group or league events

B. Regulations

1. Entrance to structure shall not be located in a yard adjacent to a residential zoning district
2. Parking spaces shall not be located in a yard adjacent to a residential zoning district
3. Structure shall be setback a minimum of 30 feet from a residential zoning district

(13) Building Materials Sales Yards

A. Potential Concerns

1. Noise, dust, vibration from operations
2. Height and visibility of merchandise storage structures
3. Commercial vehicle storage
4. Location of loading spaces and on-site management of delivery vehicles
5. Unenclosed storage and display

B. Regulations

1. Traffic management areas shall not be located in a yard adjacent to a residential district.
2. Commercial woodworking equipment and other similar machinery shall not be permanently affixed or operated within 50 feet of a residential zoning district, except within a completely enclosed structure.

(14) Cemeteries

A. Potential Concerns

1. Location and size of structures including mausoleums, chapels, gatehouses, crematoriums, offices, and service and storage buildings.
2. Appropriate screening, ornamental fencing, and landscaping to minimize potential nuisance.

B. Regulations

1. Driveways shall be setback a minimum of 10 feet from all lot lines
2. Grave markers, mausoleums, and other monuments shall be setback a minimum of 10 feet from all lot lines

(15) Churches, Libraries, Community and Recreation Centers

A. Potential Concerns

1. Adequate lot size to permit future expansion
2. Location and screening of outdoor recreation areas
3. Bus or van storage
4. Lighting
5. Parking and traffic impact

B. Regulations

1. none

(16) Clinics

A. Potential Concerns

1. Extent of accessory services
2. Hours of operation

B. Regulations

1. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may not be accessible directly from the exterior of the building and may operate only during the hours of operation for the clinic.

(17) Golf and Country Clubs

A. Potential Concerns

1. Proximity of fairways and greens to lot lines and adjacent structures
2. Trajectory of golf balls
3. Location of cart paths
4. Location of accessory uses such as ball fields, swimming pools, and tennis courts
5. Appropriate screening of high activity areas from adjacent properties

B. Requirements

1. Cart paths shall be a minimum of 10 feet from all lot lines
2. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use

(18) Service Organization Lodges

A. Potential Concerns

1. Location of accessory uses such as ball fields, swimming pools, and tennis courts
2. Appropriate screening of high activity areas from adjacent properties

B. Requirements

1. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use

(19) Fraternity and Sorority Houses

A. Potential Concerns

1. ~~Noise~~
2. ~~Location of accessory uses such as ball fields and swimming pools~~
3. ~~Appropriate screening of high activity areas from adjacent properties~~

(1) **Aesthetic Concerns:**

- a. **Historical characteristics of existing structures**
- b. **Residential scale and character**
- c. **Yards and landscaping**
- d. **Walls and fences**

(2) **Activities Areas:**

- a. **Porches and patios**
- b. **Locations of recreational areas and courts**
- c. **Locations of accessory structures**

(3) **Vehicle Management:**

- a. **Site access**
- b. **Required parking**
- c. **Emergency access**
- d. **Deliveries**
- e. **Occasional and excess parking management**

(4) **Adequate Public Utilities**

- a. **Water**
- b. **Sewer**
- c. **Storm water management**
- d. **Other services**

(5) **Nuisance:**

- a. **Waste/trash management**
- b. **Noise and off-site impact**
- c. **Lighting and off-site impact**

B. ~~Requirements~~

1. ~~A solid fence, wall, or hedge at least 6 feet in height is required along any property line within 75 feet of an activity area including porches and patios~~
2. ~~Adequate waste and recycling facilities~~

B. Requirements:

1. **New Structures: Building shall be of a size and scale which is approximate with that approximates neighboring structures.**
2. **Existing Structures: Exterior renovation and improvements shall maintain and protect be maintained to protect existing architectural details, materials and ornament-ornamentation.**

3. **Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.**
4. **Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.**
5. **Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.**
6. **Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.**

(20) Family Community Residence, Group Community Residence, and Community Residence

A. Potential Concerns

1. Maximum occupancy and staffing
2. Appropriate indoor and outdoor recreation areas
3. Proximity to and number of similar uses in Oxford

B. Regulations

1. Site shall be a minimum of 891 feet from any other Community Residence

(21) Day Care Centers and Nursery Schools

A. Potential Concerns

1. Location and adequacy of planned outdoor play area
2. Noise
3. Adequate drop-off facilities

B. Regulations

1. Use of outdoor play areas shall be limited to between the hours of 8:00 A.M. and 8:00 P.M. daylight hours.

(22) Drive-In Theater

A. Potential Concerns

1. Appropriate screening
2. Setback and visibility of screen from residential zoning district and public streets
3. Design of vehicle management area, especially street access
4. Noise from operations (vehicle)

B. Regulations

1. No outdoor loudspeaker is permitted

(23) Elderly Housing, Congregate Housing

A. Potential Concerns

1. Proximity to existing or possible area uses that are potentially dangerous to elderly or handicapped occupants

B. Regulations

1. Maximum density of 1 dwelling unit per 3,000 square feet

(24) Funeral Homes and Mortuaries

A. Potential Concerns

1. Design of vehicle management areas to ensure quick and efficient access to public streets during processions
2. Adequate cue space at drop-off areas to ensure that access to parking spaces is not impeded

B. Regulations

1. All hearses, limousines, and other related business vehicles shall be stored within an enclosed building when not in use
2. Parking areas are exempt from provisions of the Vehicle Management regulations that would prevent a vehicle management area that is designed to facilitate funeral processions

(25) Gaming Arcades

A. Potential Concerns

1. Proximity to schools, churches, and establishments serving alcohol
2. Proximity to residential zoning district
3. Adequate screening of parking and outdoor gathering areas

(26) Hospitals

A. Potential Concerns

1. Location of parking for employees
2. Parking for visitors
3. Design of drop-off area
4. Emergency vehicle access to the site and to the building
5. Adequate lot size and shape to handle current proposal and possible additions
6. Screening
7. Access to appropriate street
8. Helicopter landing facilities

(27) Motels

A. Potential Concerns

1. Proximity to residential
2. Screening from residential
3. Appropriate street access

(28) Nursing Homes, Convalescent Homes

A. Potential Concerns

1. Adequate lot size to provide for visitors and for outdoor activities
2. Access to an appropriate street
3. Adequate screening from residential

B. Regulations

1. Minimum 500 square feet per bed of on-site open space

(29) Riding Academies, Stables

A. Potential Concerns

1. Adequate lot size
2. Noise and dust from operations
3. Security fencing
4. Location of corrals and other animal areas
5. Adequate vehicle management area for transportation of animals
6. Hours of operation

B. Regulations

1. Any area designed to accommodate animals used in the operations shall be setback a minimum of 50 feet from any lot line

(30) Schools

A. Potential Concerns

1. Adequate lot size to permit future expansion
2. Bus and van storage
3. Access to streets that can handle traffic generated by the use
4. Design of vehicle management area
5. Location of outdoor facilities such as ball fields and band practice areas
6. Proximity to incompatible uses (establishments serving alcohol)

B. Regulations

1. Parking spaces shall not be located in a yard adjacent to a residential zoning district
2. Structure shall be setback a minimum of 30 feet from a residential zoning district

(31) Temporary and/or Outdoor Sales of Plants and Garden Supplies

A. Potential Concerns

1. Signs
2. Sight distance at corner lots

B. Regulations

1. Storage of goods shall not reduce the usable number of parking spaces by more than 10 percent of the required total.
2. Goods shall not be stored in a driveway required to access required parking spaces.

1159.07 DEFINITIONS (BEGINNING WITH LETTER "F")

(10) FRATERNITY/SORORITY HOUSE- ~~a building which is occupied only by a group of university or college students who are associated with a fraternity or sorority that is chartered by a national/international fraternity or recognized by Miami University. These students also receive lodging and / or meals on the premises for compensation. Occupants may also include employees and pledges of the fraternity or its agents, and non members not to exceed ten percent of the maximum occupancy of the building.~~

A building that is occupied by a group of enrolled Miami University students who are active members of a fraternal organization recognized by Miami University. These organizations shall be limited to fraternities, sororities, and like groups in good standing with, and approved by Miami University for communal off-campus living. Occupancy exception: may include employees or agents of the organization not to exceed three (3) persons.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY 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 13, 2009
<u>Case Number</u>	PC-05-2009
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Text Amendment
<u>Summary of Request</u>	Amend Section 1147.02 Issuance and Revocation of Conditional Use Permit, Section 1147.03 Use Specific Regulations and Potential Concerns, and Section 1159.07(10) Definition
<u>Public Hearing Information</u>	At the May 12, 2009 Planning Commission meeting a public hearing was held at 118 West High Street. A legal notice of the hearing was published in the Oxford Press on April 11, 2009.
<u>Commission Action</u>	The Planning Commission voted 4-0-0 to recommend approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission voted to recommend approval of the draft language with a minor modification.
<u>Exhibits Submitted to the Commission</u>	1. Community Development Staff Report. 2. Inter-Office Review Transmittal Sheets. 3. Zoning Code Text Amendment Application dated March 27, 2009. 4. Chapter 1147.02 Issuance and Revocation of Conditional Use Permit, Section 1147.03 Use Specific Regulations and Potential Concerns, and Section 1159.07(10) Definition

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-05-2009

Date – May 12, 2009

APPLICATION

Applicant:	City of Oxford
Action Request:	Modify Chapter 1147.02 Issuance and Revocation of Conditional Use permit, Section 1147.03 Use Specific Regulations and Potential Concerns, and Section 1159.07(10) Definition

DESCRIPTION

Due to issues in 2008 that were centered on Conditional Use application PC-07-2008, City Council felt there was a need to review the current Conditional Use Requirements associated with fraternity houses. City Council, through the adoption of Resolution 4373, created an Ad-Hoc Committee to study this issue and to direct this Committee to evaluate and propose recommendations related to this issue. A wide spectrum of representation from the University, City and public made up the Ad-Hoc Committee who developed a set of recommendations to be considered by the Student Community Relations Commission, Planning Commission and City Council.

The Ad-Hoc Committee began reviewing this matter in September 2008. Throughout the winter season, several topics were identified, evaluated and deliberated. The Committee spent a great deal of time focusing on concerns and requirements in the hope that when the proposed recommendations were adopted that any potential Applicants would have a clearer understanding as to what the expectations would be from the community.

AGENCY COMMENTS:

No agency comments.

STAFF ANALYSIS

The denial of the last Conditional Use application by City Council to create a fraternity house resulted in the forming of an Ad-Hoc Subcommittee to study zoning regulations governing the establishment of fraternities in the City. It was pointed out that current regulations did not address certain concerns raised during the Public Hearing. In order to be fair and reasonable in considering any future applications, it was prudent to outline community expectations to allow future Applicants to address those expectations during the application and review process. Understanding that any changes to the fraternity regulations would need to be fully considered by many entities, City Council made certain that there would be student representation at this Committee. City Council also recognized that input from the Student Community Relations Commission needed solicited and any recommendations forwarded to the Planning Commission for consideration.

The Committee began discussions by dissecting the existing zoning provisions concerning fraternity/sorority houses. It was clear that the definition of a fraternity/sorority house in the Oxford Zoning Code created certain ambiguities and needed to be strengthened. There was also a need to ensure enforcement efforts between the University and City were consistent and collaborative in nature.

The impact of having numerous students living in a single structure must be fully explored as it relates to adjoining properties and to the community as a whole. The Committee also felt that current regulations did not provide clear expectations that the community would expect; especially in addressing parking management. Lengthy discussions among members relating to the compatibility of proposed additions or new buildings to the overall neighborhood also took place.

It also needs noted that the Committee reviewed the issuance and revocation of Conditional Use permits and felt that the current language was very limited; therefore, it would be necessary to propose parameters for consideration as well.

The intent of this Subcommittee in reviewing and making recommendations to fraternity regulations is to make regulations more explicit and easy to follow. It is the hope from the Committee that the recommendations would make future fraternity houses blend in with the neighborhood and respect the overall character of the neighborhood. A summary of the existing and recommended changes is attached for your information.

Three areas of significant changes are being proposed. The first one is the revocation of any existing Conditional Use permits. The second area is concerns and design requirements for a fraternity house. The last one is the definition of a fraternity/sorority house.

The Student Community Relations Commission heard a presentation from staff concerning the changes being proposed at its March 20, 2009 meeting. The SCRC felt the changes were beneficial in allowing future applications to follow.

DECISION CRITERIA

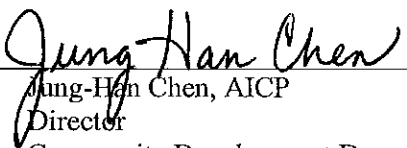
Any proposed amendment shall be considered and approved only if it meets at least one of the following criteria and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

- a. Make the Code conform more closely to 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.

RECOMMENDATION

Not Applicable

SUBMITTED

BY: 
Jung-Han Chen, AICP
Director
Community Development Department

DATE: April 20, 2009

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE TO PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT 5735 OXFORD COLLEGE CORNER ROAD FOR THE PURPOSE OF PERMANENT RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION I: The City Council of Oxford, Ohio by Resolution No. ____ passed _____, declared its intention to appropriate certain real property hereinafter described as a permanent rights-of-way and temporary easements for construction for the purpose of widening of Oxford College Corner Road from two lanes to three lanes to incorporate a center turn lane which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate has been served upon the owner of, person in possession of, or person having a record interest in the said property according to law, and a return of service has been made to the City. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION II: The City's acquisition of the real property described in Section III here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION III: That the lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 116-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 116-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION IV: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION V: The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION VI: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, and general welfare of the City of Oxford. The reason for said emergency is the immediate necessity to assemble properties necessary to construct public improvements. Therefore, this ordinance shall become effective immediately.

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
116-WD
BUT-27-18.55
11/12/07

PARCEL 116-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 2972 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the northeast corner of City Lot 2972, said point also being the Grantor's northeast corner, said point being located at centerline Station 1023+01.53 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, South 43 degrees 06 minutes 01 seconds East, 162.92 feet, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to a rebar to be set in a monument box at a point of curvature;

Thence 525.00 feet, along the arc of a curve to the left, having a radius of 12277.70 feet, a central angle of 02 degrees 27 minutes 00 seconds, a tangent of 262.54 feet, and a chord bearing South 44 degrees 19 minutes 31 seconds East, 524.96 feet, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to a rebar to be set in a monument box at a point of tangency;

Thence, South 45 degrees 33 minutes 01 seconds East, 852.89 feet, along the existing, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to point at the Grantor's southeast property corner;

Thence, South 34 degrees 29 minutes 01 seconds West, 42.08 feet, along the southeasterly line of City Lot 2972 and the Grantor's southeast property line, to a rebar set on the proposed southwesterly right of way line of U.S. 27;

Thence, North 45 degrees 38 minutes 33 seconds West, 24.15 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the existing southwesterly right of way line of U.S. 27;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
116-WD
BUT-27-18.55
11/12/07

Thence, North 54 degrees 27 minutes 45 seconds West, 22.68 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 45 degrees 33 minutes 01 seconds West, 813.61 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 45 minutes 34 seconds West, 332.56 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 47 degrees 57 minutes 06 seconds West, 195.58 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 39 minutes 59 seconds West, 40.44 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, South 46 degrees 53 minutes 59 seconds West, 10.54 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 38 degrees 04 minutes 09 seconds West, 47.94 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 43 minutes 07 seconds West, 53.05 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the Grantor's northwesterly property line and the northwesterly line of City Lot 2972;

Thence, North 31 degrees 50 minutes 41 seconds East, 83.80 feet, along the Grantor's northwesterly property line and the northwesterly line of City Lot 2972, to the **TRUE POINT OF BEGINNING** containing 1.8238 acres, of which 1.8128 acres are Present Road Occupied.

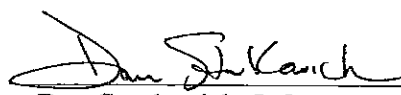
The above described area is contained in Auditor Parcel Number H4100028000013 (City Lot 1947).

Grantor claims title by instrument of a plat recorded in Official Record 1772, Page 482 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

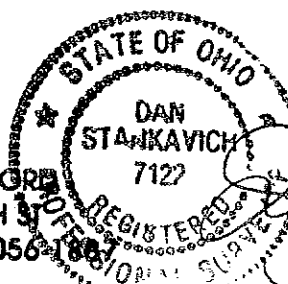
All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.

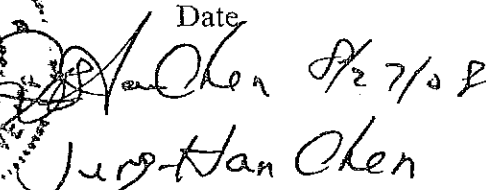

Dan Stankavich, P.S. 7122

APPROVED

CITY OF OXFORD
101 E. HIGH ST.
OXFORD, OH 45056-1887



Nov 12, 2007
Date


Jerry Han Chen

US 27 18.55
August 8, 2007

116WD.txt

Parcel name: 116WD

North: 564995.3686 East : 1327889.0099
Line Course: S 43-06-01 E Length: 162.92
North: 564876.4111 East : 1328000.3295
Curve Length: 525.00 Radius: 12277.70
Delta: 2-27-00 Tangent: 262.54
Chord: 524.96 Course: S 44-19-31 E
Course In: N 46-53-59 E Course Out: S 44-26-59 W
RP North: 573265.4849 East : 1336965.0022
End North: 564500.8618 East : 1328367.1363
Line Course: S 45-33-01 E Length: 852.89
North: 563903.5973 East : 1328975.9848
Line Course: S 34-29-01 W Length: 42.08
North: 563868.9113 East : 1328952.1603
Line Course: N 45-38-33 W Length: 24.15
North: 563885.7953 East : 1328934.8933
Line Course: N 54-27-45 W Length: 22.68
North: 563898.9778 East : 1328916.4378
Line Course: N 45-33-01 W Length: 813.61
North: 564468.7351 East : 1328335.6299
Line Course: N 46-45-34 W Length: 332.56
North: 564696.5596 East : 1328093.3653
Line Course: N 47-57-06 W Length: 195.58
North: 564827.5508 East : 1327948.1314
Line Course: N 46-39-59 W Length: 40.44
North: 564855.3025 East : 1327918.7166
Line Course: S 46-53-59 W Length: 10.54
North: 564848.1008 East : 1327911.0207
Line Course: N 38-04-09 W Length: 47.94
North: 564885.8423 East : 1327881.4603
Line Course: N 43-43-07 W Length: 53.05
North: 564924.1838 East : 1327844.7966
Line Course: N 31-50-41 E Length: 83.80
North: 564995.3704 East : 1327889.0110

Perimeter: 3207.25 Area: 79,446 sq.ft. 1.8238 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0021 Course: N 31-28-27 E
Error North: 0.00181 East : 0.00111
Precision 1: 1,527,257.14

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
116-T
BUT-27-18.55
08/08/07

**PARCEL 116-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 2972 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book____, Page____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's southeasterly property line and the proposed southwesterly right of way line of U.S. 27 said point being 41.45 feet left of station 1007+53.44 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 34 degrees 29 minutes 01 seconds West along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 2972 a distance of 9.09 feet to a point;

Thence, North 48 degrees 02 minutes 09 seconds West a distance of 55.76 feet to a point;

Thence, South 81 degrees 29 minutes 35 seconds West a distance of 31.66 feet to a point;

Thence, North 45 degrees 17 minutes 19 seconds West a distance of 38.07 feet to a point;

Thence, North 15 degrees 47 minutes 11 seconds East a distance of 6.08 feet to a point;

Thence, North 45 degrees 33 minutes 01 seconds West a distance of 328.98 feet to a point;

Thence, South 86 degrees 37 minutes 30 seconds West a distance of 52.46 feet to a point;

Thence, North 06 degrees 53 minutes 14 seconds West a distance of 78.83 feet to a point;

Thence, North 45 degrees 16 minutes 04 seconds West a distance of 715.94 feet to a point;

Thence, South 54 degrees 02 minutes 50 seconds West a distance of 32.08 feet to a point;

Thence, North 77 degrees 08 minutes 54 seconds West a distance of 48.76 feet to a point;

Thence, North 43 degrees 45 minutes 10 seconds West a distance of 5.05 feet to a point;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
116-T
BUT-27-18.55
08/08/07

Thence, North 26 degrees 57 minutes 05 seconds East a distance of 60.90 feet to a point on the existing southwesterly right of way line of U.S. 27;

Thence, South 47 degrees 57 minutes 06 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 133.58 feet to a point;

Thence, South 46 degrees 45 minutes 34 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 332.56 feet to a point;

Thence, South 45 degrees 33 minutes 01 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 813.61 feet to a point;

Thence, South 54 degrees 27 minutes 45 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 22.68 feet to a point;

Thence, South 45 degrees 38 minutes 33 seconds East along the proposed southwesterly right of way line of U.S. 27 a distance of 24.15 feet to the **TRUE POINT OF BEGINNING** containing **0.6382 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.





Dan Stankavich, P.S. 7122

August 8, 2007
Date

US 27 PHASE 3
11:11 AM 3/27/2007

Parcel name: 116T

North: 564786.0279	East : 1327994.1670
Line Course: S 47-57-06 E	Length: 133.5762
North: 564696.5642	East : 1328093.3580
Line Course: S 46-45-34 E	Length: 332.5648
North: 564468.7364	East : 1328335.6261
Line Course: S 45-33-01 E	Length: 813.6100
North: 563898.9791	East : 1328916.4340
Line Course: S 54-27-45 E	Length: 22.6797
North: 563885.7968	East : 1328934.8893
Line Course: S 45-38-33 E	Length: 24.1540
North: 563868.9100	East : 1328952.1592
Line Course: S 34-29-01 W	Length: 9.0914
North: 563861.4160	East : 1328947.0119
Line Course: N 48-02-09 W	Length: 55.7602
North: 563898.7010	East : 1328905.5507
Line Course: S 81-29-35 W	Length: 31.6629
North: 563894.0171	East : 1328874.2361
Line Course: N 45-17-19 W	Length: 38.0709
North: 563920.8013	East : 1328847.1807
Line Course: N 15-47-11 E	Length: 6.0845
North: 563926.6564	East : 1328848.8360
Line Course: N 45-33-01 W	Length: 328.9847
North: 564157.0388	East : 1328613.9852
Line Course: S 86-37-30 W	Length: 52.4586
North: 564153.9505	East : 1328561.6176
Line Course: N 06-53-14 W	Length: 78.8260
North: 564232.2077	East : 1328552.1652
Line Course: N 45-16-04 W	Length: 715.9438
North: 564736.0849	East : 1328043.5560
Line Course: S 54-02-50 W	Length: 32.0762
North: 564717.2524	East : 1328017.5903
Line Course: N 77-08-54 W	Length: 48.7567
North: 564728.0972	East : 1327970.0550
Line Course: N 43-45-10 W	Length: 5.0469
North: 564731.7427	East : 1327966.5648
Line Course: N 26-57-05 E	Length: 60.8985
North: 564786.0271	East : 1327994.1661

Perimeter: 2790.2461 Area: 27,801 sq.ft. 0.6382 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0012 Course: S 51-31-20 W

Error North: -0.00072 East : -0.00091

Precision 1: 2,325,205.0000

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: June 2, 2009

Account Code No. #:

Budgeted Amount:

Community Development Department
Originating Department

Kathryn A. Dale
Prepared By

May 19, 2009
Date Prepared

Agenda Title:	HAPC – Text Amendments to Chapter 25 Graphics, Signage & Building Identification of the HAPC Design Guidelines, City of Oxford HAPC, Applicant
----------------------	---

Recommendation:	Approve
------------------------	----------------

Discussion:

HAPC is requesting approval of amendments to Chapter 25, Historic & Architectural Preservation Design Guidelines - Signage.

In July & August of 2008 City Council heard proposed text changes to the HAPC Design Guidelines regarding banners and sandwich board signs. HAPC regulations specifically prohibit the use of sandwich board signs and banners which conflicts with the zoning code sign provisions. At that time, the HAPC determined they wanted to see sandwich boards continue in place of banners. However, City Council was not in favor of that recommendation because commercial properties Uptown would be treated differently than commercial properties in other zoning districts. City Council advised that their preference was to permit banners and sandwich board signs in the Historic District if they followed the zoning code.

Should City Council favorably amend the zoning code as presented under Case# PC 08-2009, amendments to the HAPC guidelines are necessary to coordinate with the Planning and Zoning Code.

Major amendments proposed include:

1. Cross-referencing and coordination to the zoning code regarding the use of sandwich board signs and banners. HAPC regulations specifically prohibit the use of these signs currently.
2. Size requirement and limitation for neon signs. Again, neon signs are prohibited; however, HAPC recognizes that neon signs exist, but the recent influx of signs is unprecedented for the Uptown. Presently, 48 Uptown businesses have 97 neon signs. The HAPC is proposing that businesses be permitted to have one neon sign but regulate that size to 12" x 18". In most cases this will allow for an "open" sign or sign of choice (e.g. product sign), but will not allow for full size neon signs or multiple signs radiating in the window fronts.
3. Clarifying the use of artwork and trademarks. The present guidelines are ambiguous and always an issue for Applicants to clearly understand what is acceptable. The proposed language will hopefully clarify the intent of this regulation and provide an idea to the Applicants of what is considered to be acceptable.

** All items will be renumbered appropriately. Many items are the same but have been moved around to be grouped with other similar requirements.*

Approved By:

Department Head:

City Attorney:

A. City Manager:

Initial Date

JHC | *5/21/09*

AB | *5/29/09*

ORDINANCE NO. _____

AN ORDINANCE REPEALING CHAPTER 25, GRAPHICS, SIGNAGE, & BUILDING IDENTIFICATION OF THE DESIGN GUIDELINES FOR THE CITY OF OXFORD'S HISTORIC DISTRICTS AND ADOPTING NEW CHAPTER 25, GRAPHICS, SIGNAGE, & BUILDING IDENTIFICATION OF THE DESIGN GUIDELINES FOR THE CITY OF OXFORD'S HISTORIC DISTRICTS.

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

SECTION I: The Historic and Architectural Preservation Commission of the City of Oxford has recommended the repeal of current Chapter 25, Graphics, Signage & Building Identification of the Design Guidelines for the City of Oxford's Historic Districts and has recommended the adoption of new design guidelines regarding the same by cross-referencing and coordinating the City of Oxford's Planning & Zoning Code regarding the use of sandwich board signs and banners, establishing a size requirement and limitation for number of neon signs permitted, and clarifying the use of artwork and trademarks on signage, which is included herein as Exhibit "A".

SECTION II: Council hereby finds that the City of Oxford's Historic and Architectural Preservation Commission held public hearings and that following the public hearings did deliberate and as a result of those deliberations, the Historic and Architectural Preservation Commission recommends repealing Chapter 25, Graphics, Signage, & Building Identification of the Design Guidelines for the City of Oxford's Historic Districts and adopting new Chapter 25, Graphics, Signage, & Building Identification of the Design Guidelines for the City of Oxford's Historic Districts, which is included herein as Exhibit "A".

SECTION III: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

GRAPHICS, SIGNAGE, & BUILDING IDENTIFICATION

03.04.2009 HAPC
RECOMMENDATIONS

Signs serve two purposes for businesses: to advertise and to identify. Unfortunately, these purposes are often placed at cross purposes when individual businesses attempt to distinguish themselves through ever increasing signage (both in size and number). This has the unintended effect of making all businesses in an area less visible while creating potential traffic hazards, confusion, and aesthetic devaluation. The commercial corridor in the Uptown Historic District has undergone numerous changes in graphics and signage throughout the years in an attempt to find the balance between advertising and identifying particular businesses and maintaining the appearance of the District as a whole.

Maintenance and Preservation

General Requirements, Maintenance and Preservation

1. All proposed new, changes in, or replacements of, signage in historical districts must be submitted for HAPC review according to Chapter 1331 of the Oxford Codified Ordinance, the HAPC Rules of Procedure, in addition, all requirements for submissions for planning and zoning regulations.
2. The Sign Code of the City of Oxford **Planning & Zoning Code** ~~should~~ **must** be consulted for specific sign regulations **in the relevant zoning category underlying a Historic Preservation District**.
3. Any change, installation, preservation, or maintenance work **on signs in a Historic District** ~~should~~ **must** not permanently alter or damage a building. Likewise, any existing architectural details should not be removed, damaged, or covered over. When signs are removed, the building surface ~~should~~ **must** be repaired and/or restored.



Appropriate lighting and signage in Uptown Oxford.

4. All signs ~~should~~ **must** be protected against deterioration or fading.

** All items will be renumbered appropriately. Many items are the same but have been moved around to be grouped with other similar requirements.*

GRAPHICS, SIGNAGE, & BUILDING IDENTIFICATION

Specific Recommendations

Specific Recommendations Regarding Signage, Graphics, & Building Identification

Interior:

4. For signs located inside a building, but **Interior signs** clearly visible from a public way, ~~internal illumination is discouraged (ie. neon type signs).~~ **shall not be internally illuminated with the exception of one small, 12" x 18" non-flashing neon sign.** ~~Window signs are appropriate if they are applied directly to the window surface or are constructed as panels attached parallel to the surface.~~

12. Excessive use of signage applied to the interior of windows is strongly discouraged in order to provide uncluttered views. ~~of interior curtains, the interior of a business, and/or interior display cases.~~ Window signs are appropriate if they are applied directly to the window surface or are constructed as panels attached parallel to the surface, and must be in accordance with Oxford Planning and Zoning Code 1151.06(f). ~~Covering more than 20% of window space with signage is prohibited.~~

Exterior:

1. For signs located on the outside of a building, all illumination shall be indirect, and in accordance with Oxford Planning and Zoning Code 1151.03(e).

~~1. The Sign Code of the City of Oxford should be consulted for specific sign regulations in addition to these guidelines.~~

2. All sign installations must be reversible and cannot damage the underlying structure.

3. ~~For signs located on the outside of a building, internal illumination (such as neon type signage) is prohibited. Rather, external illumination should be utilized with~~ **Exterior** light fixtures and installation **selections must** complementing the overall architectural character of the building in scale, style, and material.

5. Appropriate **exterior** sign materials include wood, stone, metal, glass **or composites or plastic indistinguishable from their natural counterparts. Neon tubing is prohibited.** ~~while plastics or neon tubing should be avoided~~

6. All **exterior** signage ~~should~~ **must** respect the architectural theme, general composition, and scale of the building to which it is attached.

7. **Exterior** signs ~~should~~ **must** be kept simple in design, color, and materials and should be easy to read.

8. **Exterior** sign color should complement the overall color scheme of the structure. ~~It is desirable to have~~ Sign letters **should** contrast with, but complement, their background.

GRAPHICS, SIGNAGE, & BUILDING IDENTIFICATION

- ~~1. Using *clipart* trademarks and corporate logos, such as beer and soda logos, is prohibited unless they are actually a part of the business name.~~
9. **Any art work, trademarks, or corporate logos on any exterior sign must be intimately associated with and specifically designed for the individual business identified; i.e., the art must appear on business cards, stationery, etc. Such logos as beer and soda logos are prohibited. (Examples of acceptable artwork include signs for the Convention and Visitors' Bureau, churches or banks.)**
10. **Exterior** sign types which are traditionally associated with strip or highway development are prohibited (ie. plastic signs, billboards, portable signs, ~~sandwich board signs~~, etc.)

11. Sandwich board signs and banners (see recommended amendments) are allowed per Oxford Zoning Code Chapter 1151.

- ~~11.~~13. For building identification purposes, address numerals should be attached to all buildings. These should be between 3 and 8 inches high and should be constructed of appropriate and complementary material to the building structure. The address should be easily seen from the adjacent street or public way, yet be as unobtrusive as possible.

** All items will be renumbered appropriately. Many items are the same but have been moved around to be grouped with other similar requirements.*



Insensitive signage (left) contrasts very sensitive signage (right). These signs are directly across the street from each other.

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Doug Elliott, Jr. *Police*
Originating Department

Council Meeting Of: July 7, 2009

Account Code No. #: N/A
Prepared By *Steve Schwein*

Budgeted Amount: N/A
Date Prepared June 12, 2009

Agenda Title: Resolution Authorizing Certain Property held by the Oxford Police Department be declared of use by the City of Oxford.

Recommendation: Approve

Discussion: Certain items currently in the possession of the Property Division of the Oxford Police Department are of use to the City of Oxford. These items have been turned in to the Property Officer and no one has claimed ownership. Therefore, it is the request of the Chief of Police that these items be released to the City of Oxford for use in general business. A list of the items being recommended for City use is attached.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

SDS *14/12/9*
[Signature] *7.7.09*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE OXFORD POLICE DIVISION TO RETAIN FOR USE BY THE MUNICIPALITY CERTAIN UNCLAIMED PROPERTY IN ITS POSSESSION.

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

SECTION 1: Pursuant to Oxford Codified Ordinances Section 127.11, the Oxford Police Division having possession of certain unclaimed property consisting of a Nikon Coolpix digital camera, Kodak digital camera, Casio digital camera, reflective construction light, Surefire flashlight, metal chain, 18 quart plastic tub, tool box with miscellaneous tools, Kobalt box cutter, a pair of work gloves, a lock blade knife, a small flatbed trailer, and hereby requests the retention and use of said items for municipal purposes.

SECTION 2: Council, having reviewed the items listed, finds it to be beneficial to the City to retain this unclaimed property and authorizes the City's retention and use of said items.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

Memo

To: Chief S. Schwein
From: Property Officer Ron Brooks
Property Technician Mike O'Leary
Subject: Property Use by City of Oxford
Date: 4 June 2009

The following items have been turned into the Oxford Police Department. No one has come forward to claim them. These particular items can be used by the City. I would recommend that they be accepted through a Council resolution.

11660	Nikon Coolpix digital camera
11775	metal chain
12055-001	18 qt plastic tub
12055-002	reflective construction light
12341	tool box w/ misc tools
12817-001	pair of work gloves
12848	Kodak digital camera
12887	lock blade knife
12887-001	Surefire flashlight
12958	Casio digital camera
13047	Kobalt box cutter
13049	small flatbed trailer

DESTRUCTION OF 1 KOPERLY
ITEMS TO BE USED BY CITY
BEER KEGS TO BE RETURNED FOR DEPOSIT

CITY OF OXFORD, BUTLER COUNTY, OHIO

IN THE MATTER OF THE
APPLICATION OF THE
CITY OF OXFORD
POLICE DEPARTMENT

: No _____
:
: APPLICATION FOR AND JUDGMENT
: ENTRY AUTHORIZING THE DISPOSITION
: OF UNCLAIMED OR FORFEITED PROPERTY

Now comes the State of Ohio, City of Oxford, by and through Area I Butler County Court Prosecutor, and moves that the following property be disposed of in accordance with Ohio Revised Code Section 2933.41/2933.41 (D) (8).

SEE ATTACHED SHEETS FOR PROPERTY.

Said property is now in the custody of the Oxford Police Department, Oxford, Ohio, and remains unclaimed or it is unlawful for persons to acquire or possess said property.

06/04/09
Date

Ron Brooks
Ron Brooks
Property Officer, Oxford Police Department

06/04/09
Date

Mike O'Leary
Mike O'Leary
Property Technician, Oxford Police Department

Motion to return to the owner/forfeit to the Oxford Police Department/or be otherwise forfeited and sold at public auction is requested.

Respectfully submitted,

6/4/09
Date

Michael Brooks
Prosecuting Attorney, Area I Butler County Court

ORDER

For good cause shown, it is hereby adjudged and ordered that the above listed property be disposed of as listed above.

6-4-09
Date

Robert H. Lyons
Robert H. Lyons
Judge, Area I Butler County, Court

IN AREA I BUTLER COUNTY COURT

Memo

To: Chief S. Schwein
From: Property Officer Ron Brooks
Property Technician Mike O'Leary
Subject: Property to be Destroyed
Date: 4 June 2009

Sir,

All of the following properties are no longer needed for purposes of evidence and those items turned in as found property have not been claimed and have no value. All attempts to contact owners were made. We request authorization to destroy these items.

Exhibit "A"

TAG NUM	DESCRIPTION
11713	Nokia cell phone
11732	2 MN driver's licenses w/ misc cards
11950	baseball cap
10725	Visa All Access card (unclaimed)
12660	broken Bushnell binoculars with case
11980	tan cap
11987	bag containing 3 baggies of marijuana
11987-001	handwriting samples
12312	personal papers
12312-001	personal papers
12312-002	personal papers
12360	2 notebook binders
12366	personal papers
13080	Budweiser bottle with sample
13128	Chase Visa card (replaced)
13341	drug paraphernalia
13343	drug paraphernalia
11789	2 cans Bud Light beer
11789-001	fake CT drivers license
12208	red plastic cup w/ alcohol sample
12247	Natural Light beer can
12276	2 antihistamine tablets
12390	knife with blood on it
12432	Ohio driver's license
12432-001	First Merchants Bank card
12956	red cup with contents
12956-001	can of Natural Light beer
12956-002	red cup containing mixed alcoholic beverage
13058	Miami student ID card
13062	sexual assault exam kit
13062-001	clothing (unwanted)
13082-002	pack of red plastic cups
8300	Bud Light beer bottle w/ sample
12588	knife, tool and lighter
9471-04	Hi-Point handgun w/ clip and 7 rounds
9594-01	syringes & spoon
9856	photos
10278	Miller Lite beer can w/ sample

10336	photos
10337	photos
10339	photos
10371	letters
10501	photos
10505	letters
10587	glass samples
10587-001	shoe impression
10587-002	makeshift mask
10587-003	socks
10587-004	hooded sweatshirt
10587-005	latent fingerprints
10587-006	shirt
10587-009	surveillance video
10587-010	T-shirt made into mask
10598	2 phone cards
10621	shoe impressions
10743	photos
11001	envelope and note
11268	surveillance video
11325	3 envelopes w/ blood swabs
11325-001	2 envelopes w/ blood swabs
11325-002	2 envelopes w/ blood swabs
11325-004	plaster cast of shoe impression
11325-005	buccal swab of suspect
11328-001	glass samples from broken window
11330-076	plastic marijuana bong
11463	old documents
11463-001	old documents
11463-002	old documents
11463-003	old documents
11463-004	old documents
11550	surveillance video
11561	fake NY driver's license
11660-001	Kentucky's Best cigarette box
11660-002	2 cancelled Fifth Third Mastercard cards
11661-001	3 used Starbucks gift cards
11712-001	drug paraphernalia
11712-002	2 metal grinders
11712-003	drug paraphernalia
11712-004	jar with suspected marijuana
11712-005	2 Adderall pills
11712-007	drug paraphernalia
11712-008	marijuana stem & digital scales with residue
11712-009	drug paraphernalia
11712-010	Adderall pill & marijuana bud

11815	Keystone Light beer can w/ sample
11824	photos
11826	photos
11829	photos
11871	Natural Light beer can w/ sample
11871-001	red cup w/ sample
11872	baggie of marijuana
11872-001	camouflage digital scales
11872-003	BMI Federal Credit Union statement
11872-004	baggie w/rolling papers & marijuana residue
11872-005	drug paraphernalia
11872-006	wooden box with drug residue, rolling papers
11883	Newport box w/ marijuana
11901-001	2 boxes of glass samples
11901-002	latent fingerprints
11916	knife w/ broken blade
11945	socket made into crack pipe & steel wool filter
11946	2 buccal swabs
11946-001	1 box of hair samples
11947	crack pipe & container w/ white substance
11947-001	ashtray w/ crack cocaine & razor blade
11947-002	Tylenol 3 w/ codeine
11947-003	baggie of marijuana & broken white pill
11947-004	13 pills
11947-007	cigarette box w/ cocaine in wrapper
11947-008	crack pipe
11947-009	drug paraphernalia
11947-010	purse
11947-011	steel wool, scales & rolling papers
11959	plastic bag w/ crack cocaine
11965-001	digital scales w/ residue
11965-002	plastic container w/ marijuana
11965-003	bong w/ suspected marijuana
11965-004	blue container w/ marijuana buds
11965-005	drug paraphernalia
11965-006	drug paraphernalia
11965-009	baggie of marijuana
11965-013	wet paper towel w/ marijuana seeds
11972	plastic baggie of crack cocaine
11972-001	plastic baggie w/ suspected marijuana
11972-002	2 marijuana roaches
11972-003	crack cocaine
11972-004	broken white pill
11972-005	silver tool for loading drugs
11972-006	white plate w/ cocaine & steel wool
11972-007	knife w/ white residue on blade

11972-008	suspected cocaine
11997	2 Bud Light beer cans with samples
11998	shoes, 3 credit cards, Healthcare card, cell phone
11998-001	rolling papers
11998-002	baggie of marijuana
12008	4 tablets ID as Norco & 2 tablets as Xanax
12000	Jeep key on Jeep remote
12001	4 pieces of side walk chalk
12046	metal plate
12062	buccal swabs
12073	Fifth Third debit Mastercard, LCNB debit Visa card & First Financial Visa card
12173-001	insurance cards and copy of birth certificate
12173-002	paystub
12189	baggie of marijuana
12189-001	rolling papers
12189-002	business card
12190	plastic bag with suspected marijuana
12190-001	drug paraphernalia
12190-002	plastic case containing suspected marijuana
12190-003	drug paraphernalia
12190-004	drug paraphernalia
12190-006	drug paraphernalia
12190-007	baggie of suspected marijuana
12190-008	glass plate with suspected marijuana residue
12238	unopened can of Natural Light beer
12239	can of Natural Light beer w/ sample
12251	2 plastic shot glasses w/ sample
12260	2 smoke bomb canisters
12289	Natural Light beer can w/ sample
12292	flask containing liquor
12298	white substance in wrapper
12298-001	glass pipe
12298-002	packing rod, & syringe wrapper
12298-003	drug paraphernalia
12298-004	plastic wrapper with white residue
12298-005	drug paraphernalia
12298-006	12 insulin syringes
12298-007	8 green capsules
12298-008	plate & spoon with residue
12298-009	capped syringe
12298-010	drug paraphernalia
12298-011	drug paraphernalia
12298-012	syringe with liquid & patch
13215	pitcher and plastic cup with samples
12392	drug paraphernalia

12430	open can Natural Light beer
12466	2 adjustable wrenches
12495	Nokia cell phone
12498	clear plastic cup w/ alcohol sample
12500	open bottle of Bud Light with sample
12577	North Carolina driver's license
12674	drug paraphernalia
12674-001	drug paraphernalia
12851	open can of Natural Light with sample
13027	expired Ohio driver's license
13032	clear plastic cup with sample
12030	plastic cup w/ beer sample
12089	Commerce Bank Visa card
10628	Natural Light beer can w/ sample
12291	empty Kamchatka Vodka bottle
12510	blue duffel bag with clothing and showering items (unclaimed)
12510-001	misdemeanor citation for underage consumption (falsified document)
12510-002	copy of guest registration card
12939	drug paraphernalia
10440	4 cans Milwaukee's Best w/ sample
11570	GA driver's license
11689-001	fingerprint cards
11699	Bud Ice beer can w/ sample and Budweiser beer can w/ sample
11796	2 vials of glass shards & grass with glass
12225	Diet Coke can and shot glass
12225	40oz Bud Light bottle
12250	Natural Light beer can w/ sample
12250-001	fake Ohio driver's license
12467	CD marked "2007 shit"
12467-001	car key w/ lanyard
12467-002	Maxell CD case
12467-003	small kitchen knife
12467-004	4 CD cases & 1 loose CD
12467-005	11 latent print cards
12467-006	various papers
12467-007	empty G2 sports drink bottle
12467-008	empty Red Bull can
12467-009	empty Trauth chocolate milk bottle
12467-010	Spirit bottle, Lays chip bag and pickle wrapper
12507	receipt for bootleg beer kegs

12508-001	beer keg receipt
12513	blue plastic bong
12513-001	blue & chrome "Hookah"
12513-002	2 butter knives
12513-003	2 chrome stems
12513-004	Blue bag with drug paraphernalia
12513-005	plastic vile with yellow cap
12513-006	knife with red handle
12513-007	brown box with drug paraphernalia
12513-008	multi-use tool
12513-009	3 McClintock packs rolling papers
12513-010	kitchen knife
12513-011	knife
12513-012	black chrome pipe
12513-013	US Bank Visa Debit card
12513-015	metal crack pipe
12513-016	2 long silver tweezers (roach clips)
12513-017	baggie of green vegetation
12513-018	multi-colored glass smoking pipe
12513-019	blue multicolored glass pipe with residue
12513-020	glass stem
12513-021	green glass bong
12513-022	blue grinder
12513-023	small metal dragon knife
12513-024	small baggie of green vegetation
12513-026	black scale
12513-027	Zig Zag rolling papers
12513-028	Time Warner cable notice
12513-029	tin with residue
12513-030	multi-colored glass pipe
12513-031	multi-colored glass pipe
12513-032	2 packs of rolling papers
12513-033	package of pipe screens
12513-034	silver platter with baggie residue
12513-035	Duke Energy past due bill
12527	12 pack Corona beer bottles
12527-001	fake FL driver's license
12535	Rolling Rock beer bottle w/ sample
12535-001	Rolling Rock beer bottle w/ sample
12535-002	Rolling Rock beer bottle w/ sample
12734-003	drug paraphernalia
12739	Motorola Tracfone
12741	Fifth Third Bank deposit slip
13078	open can of Natural Light with sample
13078-001	Ohio driver's license issued to Andrew V. Mitchell
13079	red cup w/ sample

13085	can of Natural Light beer with sample
13249	2 fingerprint cards
13249-001	envelope w/ cigarette butt
13249-002	envelope w/ cigarette butt
13345	drug paraphernalia
11955	pair of socks and lighter
12012	Ohio driver's license
12131	drug paraphernalia
12219	wooden pinch hitter w/ marijuana residue.
12234	men's black belt
	marijuana pipe and rolling papers
12313	broken auto parts from hit skip accident
12356	National City Visa debit card
13093	Ohio driver's license
13363	clothing drawer with women's clothing (unclaimed)
10914	fake KY driver's license
11026-001	2 expired Ohio driver's licenses
11026-002	2 Bud Light beer bottles w/ samples
11222	finger print card
11295-006	misc items
11295-011	empty pill bottle
11295-016	2 mini disks of photos
11465	KY driver's license
11465-001	10 bottles Budweiser beer
11465-003	Bud Light beer can w/ sample
11465-004	prescription bottle w/ pill
11466	plastic cup w/ sample
11504	baggie of marijuana
11776	marijuana & drug paraphernalia
12041	drug paraphernalia
12044	case Budweiser w/ 1 open bottle
12044-001	2 cans Budweiser beer
12090	2 open cans Milwaukee's Best beer
12090-001	case of Milwaukee's Best beer
12090-002	1 open can Milwaukee's Best beer with sample
12090-003	Ohio driver's license (suspended)
12095	red plaid shirt
12097	Bacardi Rum bottle
12103	Ohio vehicle title (unclaimed)
12103-001	2 Ohio license plates
12105-001	Ohio driver's license
12116	Ohio license plate
12150	latex gloves, straw hat, & sunglasses
12151	can of Mike's Hard Lemonade

12162	6 pack Negra Modela beer
12210	plastic cup w/ sample
12211	tyvek wristbands
12211-001	Ohio driver's license
12212	fake KY driver's license
12217	small baggie of marijuana
12221	ODD Fellows metal sign
12261	black handled steak knife
12246	12 cans of Natural Light & 6 cans Bud Light
12246-001	blue glass bong, scale, cloth case, scissors & grinder
12246-002	baggie of marijuana
12511	Honeywell lockbox
12257	sexual assault exam kit
12303	fake MN driver's license
12327	vial of marijuana
12328	fake IN driver's license
12361	2 cans of Natural Light beer
12404	case of Budweiser beer and bottle of Sky vodka
12465	silver charm bracelet
12502	Illinois driver's license and IU ID card
12503	Ohio driver's license
12503-001	bottle of Popov vodka
12504	MA driver's license
12520	expired Ohio temporary instruction card
12523	white pill
12558-006	drug paraphernalia
12558-007	LG cell phone
12558-008	drug paraphernalia
12558-009	red nylon bag
12558-010	drugs
12558-011	drug paraphernalia
12583	Ohio license plate
12654	2 open cans of Natural Light beer
12675	4 bottles of vodka
12675-001	1 bottle of Jagermeister
12782	small bud of marijuana
12788	fake TX driver's license
12884	fake Ohio driver's license and UC ID card
13039	drug paraphernalia
13221	open bottle of vodka
11690	Natural Light beer can w/ sample
11690-001	Natural Light beer can w/ sample
11690-002	Natural Light beer can w/ sample
11925	misc fireworks
12094	brown lock blade knife w/ blood stains

12248	Natural Light beer can w/ sample
12253	fake NJ driver's license & fake MU ID card
12344	fake Ohio driver's license
12601	drug paraphernalia
12601-001	drug paraphernalia
12601-002	30 pack Natural Light beer
12864	plastic bag with clothes and pills
12870	E&J Brandy bottle
13086	unopened can of Natural Light beer
13110	plastic bag of fireworks
10964	counterfeit check
11836	personal papers
11919	Ohio driver's license
12038-003	red cigarette lighter
12038-004	Camel cigarette
12038-005	various papers and broken Mason jar
12038-006	paperbacks on marijuana & old change purse
12055	ash tray with 2 Camel cigarettes
12055-003	various books and papers
12055-004	empty box
12055-005	pictures, papers and prescription medication
12055-006	2 used throw away cameras
12055-010	3 VHS video tapes
12055-015	2 knives and 1 bayonet
12055-027	2 Sony floppy discs
12055-028	scrap piece of paper with writing
12055-029	expired Kroger gift cards
12055-031	key chain w/ 3 keys
12055-034	2 AXE Ultimate deodorants
12123	eye drop box
12137	bag of copper wiring
12304	fake MD driver's license
12307	fake Ohio driver's license
12308	fake PA driver's license
12309	fake VA driver's license
12311	fake Massachusetts license
12314	NJ driver's license & MU ID card
12364	fake CA driver's license
12365	fake NJ driver's license
12367	fake PA driver's license
12370	fake IN driver's license
12398	fake FL driver's license
12413	fake WI driver's license
12415	fake AZ driver's license
12420	fake IN driver's license

12421	LG Cingular cell phone
12457	buccal swabs
12457-001	urine swab
12457-002	urine swab
12457-003	buccal swab of suspect
12488-002	two voided gift cards
12488-006	shopping bag & receipt
12567	clothing
12567-001	sexual assault exam kit
12726	transactions & receipts
12731	Miami ID card
12834	Indiana driver's license
12918	Jimmy Johns BLT sandwich
13343	marijuana and wooden box shooter
12379	empty 3M multipurpose adhesive can
12568	drug paraphernalia
12682	bloody men's jeans
12833	car parts from accident
13220	2 used golf balls
13408	black men's button up shirt
10569	personal letter
10675	Ohio driver's license
11727	marijuana seeds
11756	Cobra Malt Liquor bottle
11777	2 cans Natural Light beer
11782	red plastic cup w/ beer sample
11812	handwritten note
11813	Ohio driver's license
11986	small torn part of American Flag
12092	can of Natural Light beer
12100	Ohio driver's license
12132	baseball bat and cap
12176	bottle of Corona Extra beer
12249	bottle of Kamchatka vodka
12271	broken red cell phone
12275	personal cell phone message
12290	Keystone Light beer can w/ sample
12294	water bong, grinder & marijuana
12294-001	13 cans Natural Light beer
12371	baggie marijuana, metal pipe, blue glass pipe
12402	fake ME driver's license
12405	partial full plastic gas can
12573	fake Ohio driver's license
12771	cigarette pack containing marijuana

13396	bag with Chinese items
10469-001	packaged tingler ring
10750-004	old cell phone
10750-005	old cell phone
10750-006	old cell phone
10750-007	old cell phone
10750-009	old cell phone
10750-010	old cell phone
10750-011	old cell phone
10750-012	old cell phone
10750-013	old cell phone
10750-014	old cell phone
10750-016	old cell phone
10755	old school books, papers & notebooks
10757-011	Ohio driver's license (expired)
10762-016	desktop computer
11002	marijuana & pipe
11054	metal security box w/ drugs
11054-001	2 packs rolling papers
11054-002	drug scale
11054-003	2 tobacco metal shredders
11054-005	small lock box w/ drugs
11054-006	10 baggies of marijuana
11054-007	small knife
11054-008	small box of baggies
11054-009	baggie of marijuana
11054-010	tobacco shaver
11054-011	baggie of marijuana
11266	cell phone (broken)
11266-001	DNA swabs
11485	Alaska driver's license
11485-001	personal papers
11485-002	electric bong
11485-003	box for digital scale
11485-004	box to LG cell phone
11485-005	marijuana
11485-006	prescription bottle with 4 pills
11485-007	cell phone
11485-008	6 plastic straws
11485-009	razor blade
11485-010	cell phone
11485-011	wall mirror with residue
11495-002	clothes
11495-003	clothes
11581	pool stick

11581-001	white bath towel
11581-002	broken door latch
11581-003	various empty beer cans and cups
11710	fake LA driver's license
12228	Natural Light beer can w/ sample
12229	can of Natural Light beer
12305	expired MD.driver's license
12528	2 bandanas & football jersey
12537	fake NY license & 2 Buffalo State ID's
12544	bed mattress
12547-001	torn clothing
12547-002	sweatpants and shirt
12591	blue bed mattress
7114	purse & contents (unclaimed)
7114-001	bag of drug paraphernalia
7114-002	methamphetamine
11683	marijuana & Xanax pill
11684	baggie of marijuana & burnt roach
12063	crack pipe and paraphernalia
12063-001	drug paraphernalia and white powder
12063-003	paraphernalia and cell phone
12337	red plastic cup w/ alcohol sample
12338	bottle of mixed pills
12339	2 bags of marijuana
12339-001	drug paraphernalia
10985	Natural Light beer can w/sample
11370	finger print cards
11787	Ohio ID card (used illegally)
11806	Natural Light beer can w/ sample
11842	fake NY driver's license
11995	Natural Light beer can w/ sample
11995-002	Bud Light beer can w/ sample
11995-003	tail light pieces from hit skip
12098	digital scale w/ residue
12155	suspected crack pipe
12167	Ohio driver's license
12167-001	misdemeanor citation (error)
12207	2 Natural Light beer cans
12888	baggie of green vegetation
12888-001	Natural Light beer can w/ sample
11290	marijuana & cigar in glass case
11320	2 fake money orders
11645	Ohio driver's license & Dublin Recreation card

11645-001	Fl driver's license
11646	2 packs Mike's Hard Lemonade
11739	Busch Light beer can w/ sample
11770	smoking pipe
11770-001	baggie marijuana & drug paraphernalia
11775-001	ballcap
11792	baggie of marijuana
11792-001	baggie of marijuana
11792-002	baggie w/ marijuana residue
11792-003	pack of JOB rolling papers and lighter
11794	drug paraphernalia
11794-001	French Light rolling papers
11794-002	old Nokia cell phone
11807	7 bottles Rolling Rock beer,
11807-001	fake NY drivers license
11807-002	open can Natural Light beer w/ sample
11918	black pole w/ white tip
11982	4 pieces of concrete
12117	Bud Light beer bottle w/ sample
12147	17 prescription pills
12148	open Miller Lite can with sample
12149	Bud Light bottle cap
12163	Camel Signature Blends cigarettes
12174	2 rocks
12201	open can Natural Light beer
12202	can of Natural Light w/ sample
12203	Bud Light beer can w/ sample
12447	fake IL ID card
12452	fake IL ID card
12479	fake ME driver's license
12489	fake ME driver's license
12536	fake AR driver's license
12578	fake AR driver's license
12629	fake MA driver's license
12630	yellow drinking bracelet
12630-001	fake Fl. driver's license
12644	fake MI driver's license
12645	fake LA driver's license
12646	fake VA driver's license
12647	fake MI driver's license
12665	expired Ohio ID card
12665-001	expired Ohio driver's license
12743	fake IN driver's license
12744	fake MO driver's license
12746	fake AR driver's license
12747	fake NM driver's license

12819	drugs and drug paraphernalia
12829	4 white pills
12829-001	Bud Light beer bottle sealed
12852	can of "Joose" malt liquor with sample
12855	one muddy building brick
12897	car parts from accident
12962	bottle of Bud Light beer with sample
12962-001	fake Illinois driver's license
13033	open can Keystone Light with sample
10653	Natural Light beer can w/ sample
11752	fake PA ID card
11753	baggie of marijuana
11753-001	glass marijuana pipe
12206	3 Natural Light beer cans w/ 1 sample
12214	Ohio ID card
12220	drug paraphernalia
12220-001	straw & marijuana grinder
12220-002	marijuana
12220-003	marijuana
12220-004	prescription drugs
12226	Sears credit card
12538	NY driver's license and MI student ID card
12628	broken blade Gerber knife
10731	liter bottle of Jose Cuervo Tequila
10731-001	Natural Light beer can w/ sample
11121	baggie marijuana & marijuana cigarette
11122	beer pitcher with sample
11359	broken auto parts from hit skip accident
11359-001	blood sample kit
11459	large pitcher w/ beer sample
11489	Sparks Malt Liquor can w/ sample
11522	marijuana pipe w/ residue
11527	steak knife w/ black handle
11539	Busch Light beer can w/ sample
11546	4 cans Busch Light beer
11546-001	2 cans Busch Light beer
11546-002	2 cans Busch Light beer
11572	case of Natural Light beer
11655	red box cutter knife
11656	Natural Light beer can w/ sample
11656-001	glass pipe w/ marijuana residue
11656-002	bag of marijuana
11809	OH driver's license & Wildcat ID card
11881	burnt marijuana roach

11926	bag of marijuana
12138	glass case and parking pass
12209	can of Bud Light w/ sample
12213	Ohio driver's license
12213-001	Universal credit card
12222	damaged suitcase
12259	"one hitter" w/ marijuana residue, 3 marijuana cigarettes, rolling papers, pill bottle w/ marijuana
12297	white gym shoe
12297-001	2 ball caps
12297-002	sweat shirt
12297-003	bag of hair
12357	black cell phone battery cover
12454	baggie of cocaine
12454-001	baggie of marijuana and a burnt marijuana roach
12476	multi-colored pipe with marijuana residue JOB papers
12559	Bud Light beer bottle w/ sample
12559-001	Ohio driver's license
12576	damaged Sentry safe
12589	personal papers
12716	plastic bag of blonde hair
12784	grinder containing marijuana
12784-001	blue smoking pipe
12784-002	rolling machine
12784-003	wooden tinder box with smoking pipe
12784-004	plastic tube with a powder residue
12784-005	drug paraphernalia
12810	marijuana cigarette
12830	2 open Mike's Hard Lemonades with sample
12830-001	Four Max malt liquor can with sample
12830-002	Bud Light beer can w/ sample and open Busch Light beer can w/ sample
12994-001	fake TN driver's license
13030	fake Maryland driver's license and Best Buy card
12052	USA passport (unclaimed)
12130	4 cosmetic wrist bracelets
12395	counterfeit prescription form
12483	various salvage license plates
12999	Jump drive (unclaimed)
13443	various salvage license plates
10541	2 Magnificent millions lottery tickets
10541-001	CD security video
10541-002	CD security video
10892	fake American Express Travelers check

11740	4 receipts of gas drive off's
11921	780 Pump Master BB gun
11964-001	1 video tape
12029	4 receipts from stolen property
12160	Ohio license plate (unclaimed)
12243	small baggie of marijuana
12575	UPS shipping envelope with counterfeit check
12720	wallet with license (replaced)
12758	marijuana and marijuana pipe
12758-001	2 yellow straws w/ unknown residue
13052	small baggie marijuana
13304-001	open bottle of Margaritaville tequila
10471	empty black wallet (unclaimed)
11262	personal papers
12080	plastic cup w/ alcohol sample
12125	personal papers
12179	game tokens & two lighters (unclaimed)
12181	pills, condoms and paraphernalia, etc.
12182	food and alcohol items
12252	fake Ohio driver's license
12296	can of Krylon fluorescent orange spray paint
12324	King Cobra bottle w/ sample
12333	open can of Bud Light beer
12358	Brick Street wristband
12358-001	Ohio ID card
12396-001	166 pills
13048	portable scale and disposable lighter
13048-001	baggie of marijuana
13048-002	opened bottle of Bacardi Rum
13048-003	3 glass marijuana pipes
13048-004	black key lanyard, black rubber IPod case, money clip
13053	rental sign
13053-001	Chase bank Visa debit card
13084	red plastic cup with sample
10591	can of Busch Light beer
10610	Miller Lite beer bottle w/ sample
11124	mail, pill, pipe & pill bottle
11124-001	plastic smoking bottle
11124-002	pipe & plastic bong
11124-003	drugs paraphernalia
11124-004	metal sifter
11124-005	drug paraphernalia
11124-006	hotbox vapors & pill bottle
11424	baggie of marijuana

11429	14 gms marijuana
11431	Natural Light beer can w/ sample
11431-001	Natural Light beer can w/ sample
11431-002	Washington DC driver's license
11432	4 gms marijuana
11470	67 gms marijuana
11470-001	baggie of marijuana
11470-002	scale w/ marijuana residue
11470-006	marijuana stems and leaves
11470-009	box w/ drug paraphernalia
11470-014	container w/ white pills
11472	baggie of marijuana
11511-001	bag of marijuana
11512-001	Mastercard, Ohio ID, CVS and Miami cards
11512-002	Century strong box w/ drug paraphernalia
11512-003	bag of marijuana
11512-004	bag of marijuana
11512-005	bag of marijuana
11512-006	US passport and SSN card
11512-007	bag of marijuana
11512-008	glass pipe w/ residue
11512-009	baggies, 2 cell phones & baggie w/ residue
11512-010	Samsung cell phone w/ charger
11512-011	bag of marijuana
11512-012	pipe, 2 lighters & marijuana bud
11512-013	2 Adderall pills
11512-014	Mini CD photo disk
11512-015	box w/ marijuana bud & residue
11512-016	1 Adderall pill
11535	marijuana and rolling papers
11538	baggie of marijuana
11685	Busch Light beer can
11685-001	Busch Light beer can
11695	fake NH driver's license
11728	47 cans Natural Light beer
11728-001	fake CO ID card
11728-002	open can Natural Light beer
11755	bag of marijuana
11974	foil of white rock substance
12079	drug paraphernalia
12079-001	marijuana stems
12079-002	Altoids can with residue & mail
12178	expired Ohio license plates
12178-001	broken Pioneer radio
12178-003	scissors with pink handle
12178-004	foil cardboard paper with design (acid)

12178-005	foil cardboard paper with design (acid)
12178-006	paper with gray stripe
12178-007	plastic with green vegetation
12178-008	Nokia cell phone
12224	drugs
12315	small baggie of marijuana
12540	drug paraphernalia
12540-001	drug paraphernalia
12579	drug paraphernalia
12579-001	drug paraphernalia
12579-002	marijuana pipe and empty pill bottle
12579-003	empty Viagra pill bottle
12594	drug paraphernalia
12594-001	envelope with green vegetation
12598	marijuana pipe and JOB rolling papers
12599	drug paraphernalia
12604	2 baggies of marijuana
12621-001	illegal fireworks
12685	drug paraphernalia
12685-001	drugs
12685-002	drugs
12685-003	Logitech usb controller
12685-004	drug paraphernalia
12685-005	drug paraphernalia
12685-006	silver ball of foil with yellow substance
12685-007	brown case with glass pipe with residue
12685-008	silver metal grinder with residue
12685-009	2 black journals
12766	drug paraphernalia
12766-001	drug paraphernalia
12766-002	drug paraphernalia
12766-003	baggie of marijuana
12766-004	broken white pill
12766-005	13 prescription bottles of drugs
12766-006	large glass bong
12766-007	yellow capsule in "Pill Pouch"
12766-008	2 smoking pipes
12766-009	glass pipe and plastic bag of brown substance
12767	3 oval pills "Alza 18"
12767-001	2 smoking pipes
12767-003	"bowl" with residue
12767-005	Preeble County speeding ticket copy
12790	broken white unknown pill
11217	marijuana roach
11217-001	small blue pill

11461-003	marijuana and drug paraphernalia
11461-004	16 cans Natural Light beer
11478	FL driver's license
11664	unknown white pills
11669-001	sealed Natural Light beer can
11688	3 cans Busch Light beer
11873	2 toy pellet guns
11881	fake jewelry and paper notes
11915	Roman candle device
11951	backpack w/ scrap metal
11978	wooden stock bb gun
11978-001	camouflage stock BB gun
11984	drug paraphernalia
11984-001	drug paraphernalia
12042	drug paraphernalia
12042-001	plastic bottle w/ clear solution
12042-002	purple Bic lighter
12042-003	pocket knife
12051	misc fireworks
12051-001	misc fireworks
12054	GM car key
12076	drug paraphernalia
12076-003	drug paraphernalia
12093	used Glade Scent candle
12101	drug paraphernalia
12101-001	marijuana & drug paraphernalia
12101-002	urine sample
12112	Ohio driver's license
12140	plastic cup w/ beer sample
12205	plastic cup w/ beer sample
12205-001	plastic cup w/ beer sample
12240	can of Natural Light beer
12317	Smith & Wesson folding knife
12323	clear plastic container
12325	key chain with several keys
12326	NJ drivers license
12332	clear plastic pitcher w/ sample
12345	Ohio driver's license and ID card
12345-001	red plastic cup
12373	Powerade bottle w/ alcohol sample
12373-001	Ohio driver's license
12374	fake Ohio driver's license
12374-003	11 can tabs
12376	Ohio ID card (expired)
12377	Ohio driver's license
12389	1 "Dirty Bastard" ale with sample

12451	ball cap (unclaimed)
12487	3 ½ pills found
12499	clear plastic cup w/ alcohol sample
12548	clear plastic cup w/ alcohol sample
12550	Absolut Vodka bottle w/ sample
12550-001	4 pack Sparks energy drink
12551	fake Ohio driver's license
12553	Ohio driver's license
12586	clear plastic cup w/ alcohol sample
12614	Sutter Home wine bottle w/ sample
12615	misc fireworks
12618	red plastic cup w/ alcohol sample
12618-001	red plastic cup w/ alcohol sample
12648	fake Ohio driver's license
12714	Natural Light can with sample
12735-001	pink Brick Street wrist bracelet
12779	plastic baggie of marijuana
12780	Bud Light bottle with sample
12783	11 extra strength Tylenol
12853	open bottle of Black Opal Shiraz wine w/ sample
12886	clear plastic cup w/ sample
12929	Ohio license plate (unclaimed)
12934	clear plastic cup w/ sample
12935	clear plastic cup
12947	bloody Tampa Bay hat
12947-001	white Reds baseball cap
12986	Bud Light can with sample
13238	fake Ohio driver's license with orange wrist band
11631	black handled lock blade knife
11847	drug paraphernalia
11900	smokeless tobacco, lighter and marijuana
12410	(2) Lorazepam pills, 1 mg each
13400	3 white pills
11751	brown wallet with medical cards & credit cards
11760	OH driver's license
11852	Honda key with remote & house key
11920	Chrysler key & jeep FOB attached
11956	GMC remote with key on an Under Armour lanyard
11977	OH driver's license & set of keys
11988	lost check book
11992	handwritten note with 36 white pills
11999	Gold First Financial Bank USA Visa card
12034	box of .22 caliber shells

12099	cracker bombs fireworks
12066	UK Wildcard student ID
12067	3 keys on plastic Brookville AMTV chain
12091	worn sandals, purse and keys (unclaimed)
12106	car key
12154	silver Samsung cell phone
12156	black men's wallet with contents (no cash)
12170	Samsung camera phone
12171	US Bank debit card & ATM receipt
12183	Samsung cell phone
12185	First Merit Visa check card
12187	Ohio ID card
12223	Chev key on a Miami key chain
12242	Visa check card
12256	set of keys w/ Toyota remote
12277	Ohio driver's license
12277-001	California driver's license
12277-002	Ohio driver's license
12277-003	Illinois driver's license
12282	Indiana driver's license
12283	US Bank Visa card
12284	Chevy car key with remote
12330	expired NY drivers license
12343	car & house keys with UK pendent
12347	Volvo car key on Miami chain
12388	Huntington Bank Visa debit card
12403	Bank of America Visa Check Card
12414	Miami ID card
12445	Ohio driver's license
12453	New York state learners permit
12456	men's animal print ring
12481	½ of an Ohio driver's license
12514	Kentucky driver's license
12516	Indiana driver's license
12517	Illinois ID card
12525	damaged Nikon digital camera
12526	BB gun pistol
12582	Ohio driver's license
12603	Illinois driver's license
12605	4 expired Ohio driver's licenses
12605-001	2 expired IN. driver's license & student ID card
12605-003	Ohio driver's license
12605-004	Indiana driver's license
12605-005	Miami ID card
12617	Clarion University ID card & Onity key card
12633	small black key

12671	Visa gift card (unclaimed)
12673	Samsung cell phone (unclaimed)
12697	set of various keys
12738	Ohio driver's license
12772	car key on ring
12778	Iowa driver's license (replaced)
12844	Merrill Visa card (replaced)
12874	Ohio driver's license (replaced)
12928	car keys
12949	Maryland driver's license
12950	Miami ID card (replaced)
12951	3 house keys and 2 car keys
12955	Fifth Third mastercard (replaced)
12968	Motorola cell phone (damaged)
12979	Ohio driver's license
12980	2 car keys
12982	Mastercard and Miami ID card
12984	Chevy car key
12993	Visa card (replaced)
13081	Ohio driver's license
13108	tan men's wallet
13113	brown men's wallet
13114	Ohio driver's license (replaced)
13144	Mastercard (unclaimed)
13157	Fifth Third credit card
13187	car keys
13239	Jeep remote and keys
13241	keys (unclaimed)
13243	USbank Visa card (unclaimed)
13295	Ford key (unclaimed)
13298	IN license plate (unclaimed)
13310	Chase Visa card (unclaimed)
13312	wallet (unclaimed)
13313-002	KY driver's license (replaced)
13394	Citi Mastercard (replaced)
13395	Ohio driver's license

DESTRUCTION OF PROPERTY
ITEMS TO BE USED BY CITY
BEER KEGS TO BE RETURNED FOR DEPOSIT

CITY OF OXFORD, BUTLER COUNTY, OHIO

IN THE MATTER OF THE
APPLICATION OF THE
CITY OF OXFORD
POLICE DEPARTMENT

:
:
:
:

No _____

**APPLICATION FOR AND JUDGMENT
ENTRY AUTHORIZING THE DISPOSITION
OF UNCLAIMED OR FORFEITED PROPERTY**

Now comes the State of Ohio, City of Oxford, by and through Area I Butler County Court Prosecutor, and moves that the following property be disposed of in accordance with Ohio Revised Code Section 2933.41/2933.41 (D) (8).

SEE ATTACHED SHEETS FOR PROPERTY.

Said property is now in the custody of the Oxford Police Department, Oxford, Ohio, and remains unclaimed or it is unlawful for persons to acquire or possess said property.

06/04/09
Date

Pat. R. Brooks
Ron Brooks
Property Officer, Oxford Police Department

06/04/09
Date

Mike O'Leary
Mike O'Leary
Property Technician, Oxford Police Department

Motion to return to the owner/forfeit to the Oxford Police Department/or be otherwise forfeited and sold at public auction is requested.

Respectfully submitted,

6/4/09
Date

Michael D. Brown
Prosecuting Attorney, Area I Butler County Court

ORDER

For good cause shown, it is hereby adjudged and ordered that the above listed property be disposed of as listed above.

6-4-09
Date

Robert H. Lyons
Judge, Area I Butler County, Court

IN AREA I BUTLER COUNTY COURT

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: July 7, 2009

Steve Schwein

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 12, 2009

Date Prepared

Agenda Title: Resolution to destroy items held by the Oxford Police Department that have no evidentiary or monetary value.

Recommendation: Approve

Discussion: The attached list of property is being held by the Division of Police. The list consists of items including but not limited to alcoholic beverages, drug paraphernalia, evidentiary kits and other items confiscated as a result of usual and customary police activities. No item listed is necessary for evidentiary use nor is it of monetary value to be auctioned by the City of Oxford.

The Chief of Police requests authorization to specify a date at which time, in the presence of the Finance Director and Property Officer, the items listed may be correctly disposed of.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS 6/12/9

[Signature] 7-1-09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE AND FINANCE DIRECTOR TO DISPOSE OF CONTRABAND NO LONGER NEEDED AS EVIDENCE.

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

SECTION 1: The Chief of Police in the presence of the Finance Director is hereby authorized to dispose of the contraband set forth on Exhibit "A" attached hereto and incorporated herein, consisting of alcoholic beverages and other items confiscated as a result of usual and customary police activities and for which there is no value to the City in retaining the same.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Service Department
Originating Department

Council Meeting of: July 7, 2009

Michael Dreisbach
Prepared By

Account Code #: 332.830.50701

June 5, 2009
Date Prepared

Budgeted Amount: \$150,000.00

Agenda Title: Resolution to Approve Primary Clarifier Improvements at the Wastewater Treatment Plant

Recommendation: Approve

Discussion:

The City has encumbered funds for the replacement of two mechanical drives mechanisms for primary clarifiers at the wastewater treatment plant. The existing drives are several decades old and have reached the threshold for replacement. In addition to their primary purpose of collecting settled solids for additional treatment, safety improvements to the walkway have been incorporated as well.

Staff developed specifications for the replacement and advertised for bids in the Oxford Press and Hamilton Journal on May 22 and May 29, 2009. Bids were opened on June 4, 2009 with the following results:

Ameritcon, Inc.	\$ 99,774.00
Fryman-Kuck Construction	121,000.00

Ameritcon, Inc. performed significant upgrades at the Plant in the late 1990's including construction of new pumping and flow equalization facilities. The work performed was done in a professional manner and the City was very pleased with their results and quality.

This resolution will authorize the City Manager to enter into an Agreement with Ameritcon, Inc. for the improvement of primary clarifier tank drive mechanisms per City specifications at a cost of \$99,774. Staff is requesting a 10% contingency in the amount of \$9,977.40, therefore the contract amount not to exceed is **\$109,751.40**.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
MRD 6/5/09

[Signature] 2/1/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AMERITCON, INC. FOR THE IMPROVEMENT OF PRIMARY CLARIFIER TANK DRIVE MECHANISMS AT THE WASTEWATER TREATMENT PLANT PER CITY SPECIFICATIONS AT A COST OF \$99,774.00 PLUS A TEN PERCENT CONTINGENCY IN THE AMOUNT OF \$9,977.40 FOR A TOTAL COST NOT TO EXCEED \$109,751.40.

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

SECTION 1: The City of Oxford advertised a request for bids for the improvement of primary clarifier tank drive mechanisms at the Wastewater Treatment Plant per City specifications. Two companies submitted bids.

SECTION 2: The Service Director determined that Ameritcon, Inc. was the lowest and best bidder for such improvement.

SECTION 3: Council hereby finds Ameritcon, Inc. to be the lowest and best bidder and accepts the bid of \$99,774.00 plus a ten percent contingency in the amount of \$9,977.40 for a total cost not to exceed \$109,751.40 for the improvement of primary clarifier tank mechanisms at the Wastewater Treatment Plant per City specifications.

SECTION 4: The City Manager is hereby authorized to enter into an agreement with Ameritcon, Inc. at a cost of \$99,774.00 plus a ten percent contingency in the amount of \$9,977.40 for a total cost not to exceed \$109,751.40 for the improvement of primary clarifier tank mechanisms at the Wastewater Treatment Plant per City specifications.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 7, 2009

Account Code #: Not Applicable

Budgeted Amount:

Service Department
Originating Department

Michael Dreisbach
Prepared By

June 8, 2009
Date Prepared

Agenda Title: Preliminary Legislation for Multi-Use Path Construction at the Oxford Community Park

Recommendation: Approve

Discussion:

The City has completed approximately 65% of the total footage of the planned multi-use path at the Oxford Community Park. Approximately 6,200 feet of pathway still needs to be constructed to complete the original plan for the path.

The City was awarded funding from the American Recovery and Reinvestment Act of 2009 (ARRA) in the amount of \$175,000 to complete the construction of the multi-use path system at the Oxford Community Park (OCP).

On May 27, 2009, the City received correspondence from the Ohio Department of Transportation (ODOT) requiring Council authorization of Preliminary Legislation. This legislation outlines the City's responsibility for costs with the project as follows:

ODOT shall provide 100% of eligible costs for the project up to a maximum of \$175,000.
The City will pay for all preliminary engineering and right-of-way (ROW) costs.
The City will pay for all costs outside the scope of the ARRA.
The City will maintain the improvement.

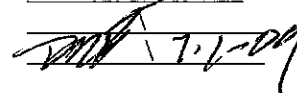
The City will perform the preliminary engineering work in-house and already controls the necessary ROW required for the project. We do not expect any significant expenses with these items.

This resolution will authorize the City Manager to enter into contracts with the Director of Transportation (ODOT) to complete the construction of the multi-use path at the Oxford Community Park.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
MBD 6/5/09

 7.1.09

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN PRELIMINARY LEGISLATION AND OTHER CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO COMPLETE THE CONSTRUCTION OF THE MULTI-USE PATH AT OXFORD COMMUNITY PARK.

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

SECTION 1: The City Manager and Service Director recommend approval of the attached Preliminary Legislation, which is incorporated herein by reference, and related contracts not attached, in connection with a project to complete the construction of the multi-use path at Oxford Community Park.

SECTION 2: The City has identified the need to complete missing segments of the multi-use path located within Oxford Community Park. Completion of the missing segments shall be undertaken by the Ohio Department of Transportation (ODOT) utilizing funding awarded to the City from the American Recovery Reinvestment Act of 2009 (ARRA) in the amount of \$175,000.00. The City will perform the preliminary engineering work in-house. The City already controls the necessary right-of-way required for this project.

SECTION 3: Council hereby accepts the recommendation of the City Manager and Service Director and approves the attached Preliminary Legislation.

SECTION 4: Council hereby authorizes the City Manager to sign the attached Preliminary Legislation, and to enter into related contracts with ODOT to complete the construction project.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 931-2142

May 20, 2009

Victor Popescu, P.E.
City Engineer
City of Oxford
101 East High Street.
Oxford, Ohio 45056

Re: BUT Oxford Multi-Use Path
PID 86275

Dear Victor:

Transmitted herewith are three (3) copies of proposed Preliminary Consent Legislation for your submission to the Oxford City Officials for their consideration and approval of the above referenced project. When the legislation has been properly executed and certified, **please return two (2) original copies, both with original signatures and seal, if applicable**, to me for further processing.

Please note that no changes can be made to the content of this document. However, the City may utilize this document or submit similar Preliminary Legislation enacted by the City in the City format for this project.

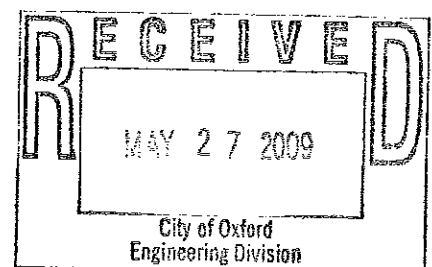
The Director of Transportation will set aside in FY2010 100% of the eligible cost up to a maximum amount of \$175,000 OKI Federal ARRA funds. The City of Oxford will be responsible for all other cost necessary to fully complete the project.

Please contact me at 513-933-6582 if you have any questions concerning the enclosed legislation.

Respectfully,

Steven L. DeHart
District Legislative Liaison

C: Legislation File w/a



PRELIMINARY LEGISLATION

Rev. 6/26/00

Ordinance/Resolution#

PID No. 86275

County/Route/Section : BUT Oxford Multi-Use Path

The following is _____ enacted by the City of Oxford, Butler County,
(Ordinance/Resolution) (Local Public Agency)
Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described
project.

SECTION I - Project Description

WHEREAS, the City has identified the need for the described project:

Complete the Construction of missing segments of the multi - use path within Oxford Community Park.

NOW THEREFORE, be it ordained by the City of Oxford, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

ODOT shall provide 100% of the eligible costs up to a maximum amount of \$175,000 in OKI Federal ARRA funds.

The City agrees to assume and bear one hundred percent (100%) of the Preliminary Engineering and Right-of-way Phases plus all other financial resources necessary to fully complete the project.

The City further agrees to pay one hundred percent (100%) of the cost of those features requested by the City which are outside the scope of the ARRA application as determined by the State and Federal Highway Administration.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the City shall:

(1) provide adequate maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The _____ of said City of Oxford is hereby empowered on
(Contractual Agent) (LPA)
behalf of the City of Oxford to enter into contracts with the Director of Transportation
(LPA)
necessary to complete the above described project.

Passed: _____, 2_____
(Date)

Attested: _____
(Clerk) (Officer of LPA - title)

Attested: _____
(Title) (President of Council)

This Resolution No. _____ is hereby declared to be an emergency measure to expedite the
(Ordinance/Resolution)
highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Oxford of Butler County, Ohio
(LPA)

I, _____, as Clerk of the City of Oxford, Butler County,
(LPA)
Ohio, do hereby certify that the foregoing is a true and correct copy of _____
(Ordinance/Resolution)
adopted by the legislative Authority of the said City of Oxford on the _____ day
(LPA)
of _____, 2009,
that the publication of such _____ has been made and certified of record
(Ordinance/Resolution)
according to law; that no proceedings looking to a referendum upon such _____
(Ordinance/Resolution)
have been taken; and that such _____ and certificate of publication thereof
(Ordinance/Resolution)
are of record in _____.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this _____ day of _____, 2 009.

(SEAL)
(If Applicable)

Clerk
City of Oxford, Ohio.
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Oxford, Ohio
(LPA)

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 7, 2009

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

David Treleaven
Prepared By

June 25, 2009
Date Prepared

Agenda Title: Environmental Commission Meeting of June 24, 2009

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, June 24, 2009 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; Secretary, Ms. Heidi Schran; City Council Representative, Mr. Greig Rutherford; Planning Commission Representative, Mr. Ted Wong; and Ms. Kelly Church. A quorum was present. Mr. and Ms. Orie and Elinor Loucks representing the Oxford Interfaith Climate Change Work Group were also in attendance.

The Loucks' requested that the Commission consider a recommendation to City Council regarding Oxford's participation in the Mayors Climate Protection Agreement. The Loucks' suggested that the Commission review the Institute of Environmental Sciences (IES) public service project investigating the carbon footprint and energy audit of the Oxford community.

Based upon anticipated review and/or actions by City Council and the Planning Commission, the Environmental Commissioners prioritized some of the topics identified during the May, 2009 meeting. It was determined that the IES energy audit review and recommendation(s) regarding the Mayors Climate Protection Agreement was the most pressing topic, followed by open cluster residential/conservation development zoning review. The Commission requested to assist in the evaluation of contractor proposals for the pending solid waste and recycling collection contract. Topics for review later in the year include energy consumption reduction in municipal buildings, as well as green building standards.

Commissioners discussed open cluster residential/conservation development zoning concerns. Several of the Commissioners volunteered to research specific information regarding natural area preservation, restoration, and existing conservation developments for subsequent discussion.

The Commission adjourned at 8:35 p.m. The next Commission meeting is tentatively scheduled for Wednesday, July 22, 2009 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial \ Date
WBS \ 6/25/09
[Signature] \ 7/15/09

A Regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, June 2, 2009 at 7:38 p.m. Those members present were Ken Bogard, Kate Currie, Richard Keebler, Doug Ross and Greig Rutherford. Alysia Fischer arrived at 9:27 p.m.

Staff members present: Mr. Mike Dreisbach, Acting City Manager; Mr. Steve Schwein, Police Chief; Mr. John Detherage, Fire Chief; Mr Joe Newlin, Finance Director; Ms. Kathy Dale, Planner; Mr. Alan Kyger, Economic Development Director; Ms. Donna Heck, Human Resources Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Currie moved to adjourn to Executive Session at 7:15 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions and Personnel. Mr. Rutherford seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Keebler, Mr. Rutherford, Ms. Dana (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Currie moved to return from Executive Session at 7:37 p.m. Mr. Bogard seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

Mayor Dana advised Ms. Fischer would be arriving late this evening and Mr. Elliott was attending the International Town & Gown Conference at Murray State in Kentucky.

PLEDGE OF ALLEGIANCE

Mayor Dana called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PUBLIC HEARING **TAX BUDGET**

Mr. Bogard moved to open the meeting for a Public Hearing regarding the 2010 Tax Budget at 7:40 pm. Ms. Currie seconded. The motion passed 6-0-0.

Mr. Newlin advised this was the first step in the budgeting process. Mr. Newlin noted the tax budget was due to the county by July 20, 2009 and was a requirement of the Ohio Revised Code. Mr. Newlin noted the purpose of the Tax Budget was to make sure property taxes would cover the obligations for general obligation debt. Mr. Newlin offered to answer any questions.

Mr. Bogard moved to close the Public Hearing at 7:44 p.m. Ms. Currie seconded. The motion passed 6-0-0.

APPOINTMENTS TO BOARDS **AND COMMISSIONS**

Mr. Keebler moved to reappoint Fred Russell and Charles Crain to the Civil Service Commission for a term ending June 30, 2012, and to appoint Robert Bell to the Housing Advisory Commission for a term ending June 30, 2013, and to appoint Bill Levenderis to the Recreation Board for a term ending June 30, 2011, and to reappoint Shaunna Tafelski to the Recreation Board for a term ending June 30, 2011, and to reappoint David Dewitt to the Board of Appeals (Building and Housing) for a term ending June 30, 2014. Ms. Currie seconded. The motion passed 6-0-0.

Ms. Heck advised Mr. Russell agreed to serve on the Civil Service Commission for another six months to help finish their work in progress.

Ms. Currie moved to amend the motion to reappoint Fred Russell to the Civil Service commission for a term ending December 31, 2009. Mr. Bogard seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Connie Elliott, 118 Homestead, updated Council on her Smoky and Tornado project and plans for her Relay for Life Team. Ms. Elliott reported that she was officially Oxford's National Weather Service Storm Spotter.

CONSENT AGENDA

MINUTES

Minutes of the May 19, 2009 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)

Minutes of the May 19 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

REPORTS

Report regarding the May 12, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the May 27, 2009 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the May 27, 2009 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION

SALE OF

SALVAGED VEHICLES

A Resolution No. 4448 authorizing the sale of salvaged motor vehicles. (Steve Schwein, Police Chief)

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

RESOLUTION

PRESCRIPTION DISCOUNT

CARD PROGRAM

A Resolution No. 4449 supporting the National League of Cities (NLC) Prescription Discount Card Program. (Donna Heck, Clerk of Council)

Ms. Heck discussed her staff report as presented on page 29 of the agenda noting through the National League of Cities the City of Oxford could offer a free prescription discount card to all residents designed to help them save money on prescriptions that were not covered by insurance.

Mr. Ross inquired if there was a cost to the City to provide this service and Ms. Heck advised no.

Mr. Bogard referred to page 35 of the agenda and noted the pharmacy addresses in Oxford were out of date. Mr. Bogard asked Ms Heck to explain how the program worked in conjunction with private insurance. Ms. Heck advised if a prescription was not covered by insurance the card could be used for a discounted price off of the non-covered medication.

Mayor Dana inquired how Ms. Heck found the proposed program and Ms. Heck advised by email and the internet.

Mr. Bogard moved to adopt Resolution No. 4449. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Currie, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
REVOLVING LOAN FUND

A Resolution No. 4449 approving the Oxford Community Improvement Corporation's recommendation to loan \$205,600.00 to Patterson Finance Company, LLC (DBA Patterson's Café). (Alan Kyger, Economic Development Director)

Mr. Kyger discussed his staff report and attachments as listed on pages 36-41 of the agenda. Mr. Kyger noted the Community Improvement Corporation recommended approval of the proposed loan and the Butler County Community Development Department ratified the proposed loan as well.

Mr. Mike Patterson, 6163 Contreras Road, noted this had been an eye-opening experience and the Community Improvement Corporation had been invaluable in assisting them through the process. Mr. Patterson thanked a number of people who assisted him and his wife in making this project a reality including Alan Kyger, Kim Newton, Doug Elliott, the CIC Board, Council members, Stewart Developers, David Wespiser, Scott Webb, Pat Lanni, the staff at the Uptown Café, his wife Michelle and the patrons of the Café over the last 5 ½ years. Mr. Patterson advised he and his wife looked forward to making the most of this opportunity.

Mr. Kyger noted the current location on High Street was re-leased and there would not be an empty store front.

Mayor Dana thanked Mr. Patterson for investing in Oxford.

Mr. Keebler, Mr. Bogard, Mr. Ross and Mr. Rutherford noted their support for the proposed Resolution.

Ms. Currie moved to adopt Resolution No. 4449. Mr. Bogard seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
CONDITIONAL USE

An Ordinance Approving A Conditional Use Permit For An Automobile Rental Business In The General Business (GB) District At 5017 College Corner Pike, Oxford, Ohio, with a condition. (Jung-Han Chen, Community Development Director)

Ms. Dale discussed the staff report as presented on page 42 of the agenda noting representatives from Enterprise Rent-A-Car were present to answer any questions. Ms. Dale noted the Planning Commission recommended approval of the Conditional Use Permit with a condition that the vehicles were managed on the site to allow for free flow through the site.

Mr. Dave Simmons, Enterprise Rent-A-Car, noted the business was originally located on Beech Street and relocated to College Corner Pike and now they wished to relocate again to have more space and direct accessibility to their customers.

Mr. Keebler provided a brief re-cap of the Planning Commission's discussion.

Mr. Bogard and Mr. Rutherford noted support for the proposed Ordinance noting they would be glad to see the empty building occupied.

Mr. Ross encouraged the applicants to plant 'real trees' and water them after planting.

Mayor Dana noted appreciation for the service Enterprise Rent-A-Car offered to the community.

ORDINANCE
ZONING CODE
AMENDMENT

An Ordinance Amending Zoning Code Section 1147.02 Issuance And Revocation Of Conditional Use Permit, Zoning Code Section 1147.03 Use Specific Regulations And Potential Concerns And Section 1159.07(10) Definitions. (Jung-Han Chen, Community Development Director)

Ms. Dale advised the proposed legislation was a result of the recommendations of the Ad-Hoc Committee formed in September of 2008 regarding Fraternities. Ms. Dale acknowledged members of the committee on behalf of Mr. Chen and Mr. Rutherford who also served on the committee and thanked them for their service. Ms. Dale discussed the staff report as presented on page 65 of the agenda noting the proposed amendments were shown on pages 71, 75 and 78 of the agenda. Ms. Dale advised it was the committee's hope that potential applicants would have a clearer understanding of what the expectations would be of the community regarding fraternity houses.

Mr. Rutherford noted the committee had good and sincere discussions. Mr. Rutherford referred to page 75 of the agenda which listed 5 potential concerns with Fraternity and Sorority Houses each with subcategories. Mr. Rutherford advised these were the items the committee recommended that the Planning Commission consider when a Conditional Use Permit application was before them. Mr. Rutherford noted this was an attempt to look ahead to protect the community and historic built environment from harm and provide recourse for fulltime residents. Mr. Rutherford referred to page 69 of the agenda and advised the most difficult area of discussion was with regard to revocation of Conditional Use Permits. Mr. Rutherford noted his feeling the proposed amendments were an improvement to the existing language although there were questions such as what to do with former fraternity houses no longer in use.

Mr. Keebler advised the Planning Commission felt the work of the ad-hoc committee was very good and the Planning Commission only made one change to the proposed language which was for Council to revoke permits not the Planning Commission. Mr. Keebler noted the Planning Commission appreciated the cooperation of Miami University, the Greek community and citizens for their input on this matter.

Mr. Bogard referred to page 75 of the agenda and inquired if the potential concerns were restrictive to the point of discouraging the construction of additional facilities. Mr. Rutherford advised no, they were items for the Planning Commission to consider and conditions could be placed on any of the potential concerns.

Ms. Currie requested clarification of revocation in the event a fraternity was sanctioned by the university which Mr. McHugh and Mr. Rutherford addressed.

Mayor Dana thanked those who served on the committee and noted her feeling the proposed language would add clarification for potential applicants.

ORDINANCE
ZONING CODE
AMENDMENT

An Ordinance Repealing Zoning Code Chapter 1133 Provisions For Zoning Districts And Chapter 1143 Districts And Adopting New Chapter 1133, Provisions For Zoning Districts And Chapter 1143 Districts To Add The Historic District Overlay To The Establishment Of Zoning Districts And To Add Cross References To The Codified Ordinance Chapter 1331 Historic & Architectural Preservation, Specifically To The Site Development Regulations Of The R1MS, R2MS, R3MS, RO, UP And MU Districts, For Those Properties In The Historic District. (Jung-Han Chen, Community Development Director)

Ms. Dale discussed the staff report as presented on page 83 of the agenda noting the HAPC requested that cross references to the HAPC guidelines be added to the zoning code.

Mr. Keebler advised this was not new legislation and the proposed Ordinance would add cross references to the HAPC guidelines.

Mr. Rutherford suggested alternate language for item (h) on page 85 of the agenda and under 1143.10 and 1143.11 on page 86 of the agenda. Mr. Rutherford requested that the word 'must' be replaced with the word 'shall' throughout the proposed Ordinance.

ORDINANCE
NEW CHAPTER 1151

An Ordinance Repealing Zoning Code Chapter 1151 Signs, and Adopting New Chapter 1151 Signs, To Modify Temporary Sign Regulations And To Add Cross References To The Codified Ordinance Chapter 1331, Historic And Architectural Preservation. (Jung-Han Chen, Community Development Director)

Ms. Dale discussed the staff report as presented on page 92 of the agenda and provided background information regarding the HAPC request and proposal.

Mr. Kyger referred to section 1151.06(a)(5) on page 100 of the agenda and noted concern that a typical business owner would likely not measure between 4 and 18' from grade to hang a banner.

Ms. Currie referred to item (f) on page 101 of the agenda and inquired if a permanent sign was taken into consideration with respect to the proposed 20% window obstruction regulation and Ms. Dale advised yes. Ms. Currie referred to item 1151.06(a) (5) on page 100 of the agenda and inquired how the 4 and 18 feet above grade was derived and Ms. Dale noted it coincided with the permanent sign regulation.

Mr. Keebler moved to amend Section 1151.06(a)(5) to read 'Attached no more than 18' from grade. Mr. Ross seconded. The motion passed 6-0-0.

ORDINANCE
NEW CHAPTER 25

An Ordinance Repealing Chapter 25, Graphics, Signage, & Building Identification Of The Design Guidelines For The City Of Oxford's Historic Districts And Adopting New Chapter 25, Graphics, Signage, & Building Identification Of The Design Guidelines For The City Of Oxford's Historic Districts. (Jung-Han Chen, Community Development Director)

Ms. Dale discussed her staff report as presented on page 109 of the agenda noting the Planning Commission did not have to review the HAPC Design Guidelines as those could come directly before Council.

Mr. Keebler moved to amend item 4. on page 112 of the agenda to read 'Interior signs clearly visible from a public way, shall not be internally illuminated with the exception of one small, 12" x 18" non-flashing neon sign.' Ms. Currie seconded. The motion passed 6-0-0.

Mr. Bogard inquired if existing signs would be grandfathered. Mr. McHugh referred to item 1. on page 111 of the agenda and advised the proposed language would apply to any new, changes in, or replacements of signage in historical districts.

Mr. Rutherford noted his feeling the proposed language stepped on the toes of commerce. Mr. Rutherford questioned the restriction of a 12" x 18" sign.

Ms. Currie referred to item 9. on page 113 of the agenda and noted her feeling the language 'and not be clip art or cartoonish' was problematic as it was too difficult to define.

Ms. Currie moved to strike the words 'and not be clip art or cartoonish'. Mr. Bogard seconded. The motion passed 4-2-0 with Mr. Rutherford and Ms. Dana voting nay.

Mr. Ross noted he felt the proposed Ordinance chased away businesses and not only stepped on toes but jumped on feet and ankles.

Mr. Rutherford encouraged members of the business community to attend the next meeting to provide feedback on the proposed Ordinance.

ORDINANCES
SECOND READING

ORDINANCE
CODE UPDATE

An Ordinance No. 3056 Repealing The City of Oxford Administrative Code Title Three Legislative, Chapter 111, And Title Five Administrative, Chapters 121, 123, 125, 127, 129, 145, And 147 And Adopting New Title Three Legislative, Chapter 111, And Title Five Administrative, Chapters 121, 123, 125, 127, 129, 145, And 147. (Donna Heck, Clerk of Council)

Ms. Heck advised the changes Council requested during the First Reading were incorporated into the proposed Ordinance and she would be happy to answer any questions.

Mr. Keebler referred to page 118 of the agenda and advised fees and rates had been removed from the Administrative Code except on this page in section (1) and (2).

Mr. Keebler moved to strike the words 'without charge' on page 118 of the agenda. Mr. Bogard seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Keebler, Ms. Dana, Mr. Bogard (4)

NAY: Mr. Rutherford, Mr. Ross (2)

ABS: None (0)

Mr. Bogard referred to page 116 of the agenda and inquired if agenda items submitted the Friday before the staff meeting was sufficient time for the Clerk of Council to prepare the agenda. Ms. Eaton advised yes, although much later than that could become problematic.

Mr. McHugh suggested adding '8 business days prior to a Council meeting' to clarify the matter.

Mr. Bogard moved to adopt Ordinance No. 3056 as amended. Mr. Keebler seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
TAX BUDGET

An Ordinance No. 3057 Authorizing The Tax Budget For The Year 2010 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised the proposed Ordinance was related to the public hearing held earlier this evening. Mr. Newlin noted the proposed Ordinance would authorize the submission of the Tax Budget to the Butler County Auditor.

Mr. Bogard moved to adopt Ordinance No. 3057. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3058 Approving The Extension Of The Conditional Use Permit For A Miami University Community Federal Credit Union Branch Facility With A Drive-Through At 5120 College Corner Pike Approved By Ordinance No. 2932 On November 21, 2006, For A Period Of Six Months. (Jung-Han Chen, Community Development Director)

Ms. Dale advised she had nothing to add since the First Reading.

Mr. Keebler moved to adopt Ordinance No. 3058. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE

NEW SECTION 1141.03

An Ordinance No. 3059 Repealing Zoning Code Section 1141.03, Supplemental Regulations, And Adopting New Section 1141.03, Supplemental Regulations. (Jung-Han Chen, Community Development Director)

Ms. Dale advised the proposed Ordinance was to show how an addition that resulted in another dwelling unit should appear and function. Ms. Dale noted the definition of an addition was 'any extension or enlargement of a structure that resulted in additional square footage.' Ms. Dale advised Mr. Rutherford requested additional clarification concerning the proposed Ordinance which she addressed.

Mayor Dana advised Mr. Rutherford prepared a short presentation which he would present to Council.

Mr. Rutherford advised his feeling the proposed Ordinance was not entirely un-warranted and noted he felt the questions were with items (j) 1. and 2. as listed on page 160 of the agenda. Mr. Rutherford advised his feeling the intent of the legislation should be to protect the historic quality of the Mile Square which was comprised of many types of homes. Mr. Rutherford provided a slide show of homes in the Mile Square including homes which had additions with 30% to 50% contact with an existing wall noting 'good taste' could not be legislated. Mr. Rutherford noted the proposed Ordinance was amended at the last meeting from 'The common wall between the addition and the existing structure shall not be less than 30% of the total square footage of the exterior wall where the addition is to be attached' to 50% and inquired if 50% could be an arbitrary number since there was very little or no discussion regarding the amendment. Mr. Rutherford noted he felt there were equity problems which involved houses that were exactly alike except for an addition which would make the proposed Ordinance apply differently to each one. Mr. Rutherford noted concerns with safety and advised a bedroom window could be encapsulated inside an addition. Mr. Rutherford note concerns with a requirement that materials should reflect the existing structure. Mr. Rutherford advised he did not feel the proposed legislation solved the problem. Mr. Rutherford noted he felt a Joint Work Session should occur with the Planning Commission and Council to achieve good and substantial legislation.

Ms. Fischer noted Mr. Rutherford seemed to love to use the word 'arbitrary' which put the City at risk. Ms. Fischer read the definition of the word arbitrary and defended the amendment made at the previous meeting with regard to 50% contact with an existing wall. Ms. Fischer noted because Mr. Rutherford did not agree with something did not mean it was irrational. Ms. Fischer noted the proposed legislation would only affect the R2MS and R3MS zoning districts and the majority of the slides Mr. Rutherford showed were in the R1MS District. Ms. Fischer noted Council could not legislate good taste, the best they could do was to provide people with guidelines. Ms. Fischer noted she did not have a problem with new additions that created new dwelling units but she was against the addition of a separate structure with a tenuous attachment to the original building.

Ms. Fischer noted the new Comprehensive Plan suggested that year round residents were desired in the Mile Square and noted additions on the back of a home that shared 50% of an original wall could be converted internally back to a single family residence and additions that were connected by a breezeway or deck could never be converted back to a single family residence. Ms. Fischer noted her feeling to allow that situation to continue was in conflict with the Comprehensive Plan. Ms. Fischer noted Mr. Rutherford had mentioned the issue of fairness and noted fairness was provided by lot coverage regulations. Ms. Fischer noted 'Two Family Dwelling' was defined in the zoning code as a building consisting of two single dwelling units detached or separated from other dwelling units by open spaces, not detached from one another.

Mr. Keebler noted he preferred the current legislation. Mr. Keebler advised he continued to be mindful of the 60s and 70s when property owners were adding onto homes in the Mile Square any way possible to maximize the rental income potential regardless of how it looked or whether it matched the original building. Mr. Keebler noted progress had been made because of lot coverage regulations and the new Mile Square Design Standards. Mr. Keebler advised his feeling the current legislation helped preserve the remaining single family homes and helped to minimize density. Mr. Keebler referred to Mr. Rutherford's comment and inquired if the proposed legislation would accomplish Council's goal. Mr. Keebler advised he was not against passing the proposed legislation knowing that it needed additional work. Mr. Keebler suggested that Mr. Rutherford offer language that worked as opposed to discussing what did not work.

Ms. Currie noted she felt the proposed legislation should be adopted but she would like to hear suggestions regarding a better solution.

Mr. Bogard advised he supported Ms. Fischer's statements regarding the Comprehensive Plan. Mr. Bogard noted if Council wanted to prevent additional housing in the Mile Square the zoning should be changed. Mr. Bogard noted his feeling additional work needed to be done with the proposed legislation and objectives needed to be established.

Mayor Dana advised a vote would be taken and whether the proposed legislation passed or failed a Work Session would be scheduled very soon to clarify the issues involved.

Ms. Fischer moved to adopt Ordinance No. 3059. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Bogard (5)

NAY: Mr. Rutherford, Ms. Dana (2)

ABS: None (0)

ANNOUNCEMENTS

Mayor Dana thanked Mr. Dreisbach for filling in for Mr. Elliott this evening.

Mr. Dreisbach noted his hope all Council members would be present at the July 7, 2009 meeting as the appropriation Ordinance would be coming before Council for the US-27 North Phase III Improvements.

Mr. Dreisbach advised the Summer Music Festival would begin on June 18, 2009.

Mr. Dreisbach noted yard waste could be dropped off at the City Garage on the first Saturday of each month from 9:00 a.m. to 1:00 p.m.

Mr. Dreisbach thanked Mayor Dana for the Proclamation for 'Tony Warren Day' and noted Mr. Warren was another 30 year City employee who retired last Friday.

Mayor Dana advised the June 16th Council meeting would be cancelled and a Fire/EMS Work Session was being arranged for June 23, 2009 with the Township Trustees.

Mayor Dana thanked Ms. Dale for filling in for Mr. Chen this evening.

Mr. Kyger noted he received a call from an interested party regarding the former KFC business. Mr. Kyger noted Core Resources who owned the former Odd Lots building was interested in the possibility of selling the property as opposed to leasing it.

Mr. Kyger noted Council may want to explore the placement of sandwich board signs for businesses located off of High Street.

Mr. Ross noted the City auction would be held on Saturday, June 6, 2009 at the City Garage on Collins Run Road beginning at 9:00 a.m.

Mr. Rutherford encouraged everyone to attend the Farmers Market and noted wonderful produce and baked goods were available.

Mr. Rutherford asked for clarification regarding the Community Arts Center and whether or not the Zoning Code applied to the building since it may be a University property.

Mr. Rutherford mentioned the passing of Bob Karrow and noted Mr. Karrow enriched his life and the community and would be sorely missed by all.

Mr. Bogard noted he and Ms. Currie participated in an Uptown Historic District guided walking tour last Saturday which was very interesting. Mr. Bogard congratulated the Visitors and Convention Bureau and the Historic and Architectural Preservation Commission for their efforts in honor of National Historic Preservation Month.

Mr. Bogard noted the passing of Bob White who was an outstanding editor of the Oxford Press. Mr. Bogard noted Mr. White would be dearly missed by all members of the community.

Mr. Bogard advised Governor Strickland was looking at educational efforts by colleges and universities throughout Ohio and visited Miami on Monday. Mr. Bogard advised he attended the event at Miami and the Governor was very impressed by the students use of technology and their commitment to teach in urban environments.

Ms. Fischer noted it was sad that Bob Karrow was no longer with us and it was appropriate that there was a photograph of him in the Comprehensive Plan.

Mr. Keebler advised the Planning Commission meeting next week was cancelled.

Ms. Currie noted a link was available on the City's website for the Oxford Bicentennial. Ms. Currie noted the Bicentennial logos would be officially presented at the July 7, 2009 Council Meeting. Ms. Currie noted Ms. Carole Katz designed the logo and Molly Monson designed the children's logo.

Mayor Dana noted the passing of Bob White and advised he was a community advocate for many years.

Mayor Dana advised the North West Mile Square Association planted flowers at the Foundation House for everyone to enjoy.

Mayor Dana noted the Fire/EMS meeting with the Townships was very important and Council would be notified once the date was confirmed.

ADJOURNMENT

Ms. Fischer moved to adjourn at 10:12 p.m. Ms. Currie seconded. The motion passed 7-0-0.

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE TO PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT AND NEAR 5495 OXFORD COLLEGE CORNER ROAD FOR THE PURPOSE OF PERMANENT RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION I: The City Council of Oxford, Ohio by Resolution No. ____ passed _____, declared its intention to appropriate certain real property hereinafter described as permanent rights-of-way and temporary easements for construction for the purpose of widening of Oxford College Corner Road from two lanes to three lanes to incorporate a center turn lane which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate has been served upon the owner of, person in possession of, or person having a record interest in the said property according to law, and a return of service has been made to the City. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION II: The City's acquisition of the real property described in Section III here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION III: The lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 111-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 111-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "C."

Perpetual Easement over Parcel 111-S, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION IV: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION V: The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION VI: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, and general welfare of the City of Oxford. The reason for said emergency is the immediate necessity to assemble properties necessary to construct public improvements. Therefore, this ordinance shall become effective immediately.

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT APID
PARCEL
CTY-RTE-SEC
Version DatePage 1 of 3
77099
111-WD
BUT-27-18.55
11/12/07

PARCEL 111-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lots 1948 and 1949 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the southeast corner of City Lot 1949, said point also being the Grantor's southeast corner, said point being located at centerline Station 1000+05.11 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, South 49 degrees 32 minutes 52 seconds West, 45.25 feet, along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 1949 to a rebar set on the existing southwesterly right of way line of U.S. 27;

Thence, North 46 degrees 26 minutes 41 seconds West, 40.23 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 52 degrees 04 minutes 39 seconds West, 100.50 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 22 minutes 01 seconds West, 23.35 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 33 minutes 19 seconds East, 10.64 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 58 degrees 36 minutes 26 seconds West, 107.41 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 50 degrees 54 minutes 17 seconds West, 50.15 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 41 degrees 03 minutes 07 seconds West, 50.22 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 3
77099
111-WD
BUT-27-18.55
11/12/07

Thence, North 43 degrees 30 minutes 44 seconds West, 105.26 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 38 minutes 23 seconds East, 22.05 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the existing southwesterly right of way line of US 27;

Thence, North 38 degrees 18 minutes 17 seconds West, 59.53 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set on Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1948;

Thence, North 42 degrees 54 minutes 40 seconds East, 52.47 feet, along the Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1948, to a point on the centerline of U.S. 27 and the Grantor's northeasterly property corner;

Thence 133.44 feet, along the arc of a curve to the left, having a radius of 22918.30 feet, a central angle of 00 degrees 20 minutes 01 seconds, a tangent of 66.74 feet, and a chord bearing South 46 degrees 12 minutes 01 seconds East, 133.44 feet, to a rebar to be set in a monument box assembly at a point of tangency;

Thence, South 46 degrees 22 minutes 01 seconds East, 359.58 feet, along the existing centerline of U.S. 27 and the Grantor's northeasterly property line, to a rebar to be set in a monument box assembly at an angle point;

Thence, South 46 degrees 26 minutes 41 seconds East, 44.87 feet, along the Grantor's northeasterly property line and the existing centerline of U.S. 27 to the **TRUE POINT OF BEGINNING** containing **0.8632 acres, of which 0.7496 acres are Present Road Occupied.**

Of the above described area, 0.2647 acres of land, of which 0.2458 acres are present road occupied, are contained in Auditor Parcel Number H4100030000004 (City Lot 1949) , and 0.5985 acres of land, of which 0.5038 acres are present road occupied, are contained in Auditor Parcel Number H4100030000005 (City Lot 1948).

Grantor claims title by instrument(s) recorded in Official Record 6278, Page 1830 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

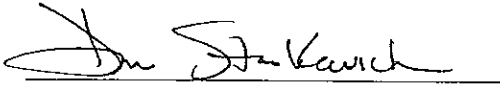
EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 3 of 3
77099
111-WD
BUT-27-18.55
11/12/07

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



Nov 12, 2007

Date

111WD.txt

US 27 18.55
August 8, 2006

Parcel name: 111WD

Curve North: 563751.7421 East : 1329131.9512
Length: 133.44 Radius: 22918.30
Delta: 0-20-01 Tangent: 66.74
Chord: 133.44 Course: S 46-12-01 E
Course In: N 43-58-00 E Course Out: S 43-37-59 W
RP North: 580247.0468 East : 1345042.7462
End North: 563659.3799 East : 1329228.2661
Line Course: S 46-22-01 E Length: 359.58
North: 563411.2563 East : 1329488.5207
Line Course: S 46-26-41 E Length: 44.87
North: 563380.3384 East : 1329521.0385
Line Course: S 49-32-52 W Length: 45.25
North: 563350.9796 East : 1329486.6056
Line Course: N 46-26-41 W Length: 40.23
North: 563378.7002 East : 1329457.4505
Line Course: N 52-04-39 W Length: 100.50
North: 563440.4670 East : 1329378.1718
Line Course: N 46-22-01 W Length: 23.35
North: 563456.5794 East : 1329361.2717
Line Course: S 43-33-19 W Length: 10.64
North: 563448.8685 East : 1329353.9402
Line Course: N 58-36-26 W Length: 107.41
North: 563504.8186 East : 1329262.2532
Line Course: N 50-54-17 W Length: 50.15
North: 563536.4438 East : 1329223.3319
Line Course: N 41-03-07 W Length: 50.22
North: 563574.3154 East : 1329190.3503
Line Course: N 43-30-44 W Length: 105.26
North: 563650.6528 East : 1329117.8778
Line Course: N 43-38-23 E Length: 22.05
North: 563666.6103 East : 1329133.0949
Line Course: N 38-18-17 W Length: 59.53
North: 563713.3250 East : 1329096.1956
Line Course: N 42-54-40 E Length: 52.47
North: 563751.7546 East : 1329131.9205

Perimeter: 1205.00 Area: 37,603 sq.ft. 0.8633 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0331 Course: N 67-51-35 W
Error North: 0.01248 East : -0.03066

Precision 1: 36,403.32

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
111-T
BUT-27-18.55
08/08/07

**PARCEL 111-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1949 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's southeasterly property line and the existing southwesterly right of way line of U.S. 27 said point being 45.00 feet left of station 1000+09.83 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 49 degrees 32 minutes 52 seconds West along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 1949 a distance of 23.23 feet to a point;

Thence, North 49 degrees 31 minutes 11 seconds West a distance of 23.94 feet to a point;

Thence, South 71 degrees 28 minutes 22 seconds West a distance of 36.91 feet to a point;

Thence, North 46 degrees 26 minutes 41 seconds West a distance of 34.09 feet to a point;

Thence, North 01 degrees 18 minutes 18 seconds West a distance of 60.13 feet to a point;

Thence, North 54 degrees 25 minutes 31 seconds West a distance of 43.09 feet to a point;

Thence, North 43 degrees 33 minutes 19 seconds East a distance of 10.64 feet to a point on the existing southwesterly right of way line of U.S. 27;

Thence, South 46 degrees 22 minutes 01 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 23.35 feet to a point;

Thence, South 52 degrees 04 minutes 39 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 100.50 feet to a point;

2

EXHIBIT A

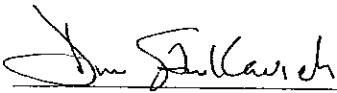
PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
111-T
BUT-27-18.55
08/08/07

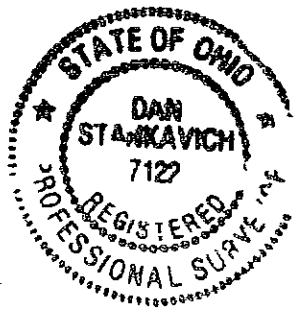
Thence, South 46 degrees 26 minutes 41 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 40.23 feet to the **TRUE POINT OF BEGINNING** containing **0.1100 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



August 8, 2007
Date

US 27 PHASE 3
11:09 AM 3/27/2007

Parcel name: 111T

North: 563335.8863	East : 1329468.9623
Line Course: N 49-31-11 W	Length: 23.9417
North: 563351.4289	East : 1329450.7515
Line Course: S 71-28-22 W	Length: 36.9131
North: 563339.6996	East : 1329415.7516
Line Course: N 46-26-41 W	Length: 34.0874
North: 563363.1877	East : 1329391.0481
Line Course: N 01-18-18 W	Length: 60.1342
North: 563423.3063	East : 1329389.6785
Line Course: N 54-25-31 W	Length: 43.8994
North: 563448.8454	East : 1329353.9726
Line Course: N 43-33-19 E	Length: 10.6375
North: 563456.5545	East : 1329361.3025
Line Course: S 46-22-01 E	Length: 23.3505
North: 563440.4418	East : 1329378.2029
Line Course: S 52-04-39 E	Length: 100.4988
North: 563378.6757	East : 1329457.4807
Line Course: S 46-26-41 E	Length: 40.2300
North: 563350.9550	East : 1329486.6358
Line Course: S 49-32-52 W	Length: 23.2256
North: 563335.8860	East : 1329468.9623

Perimeter: 396.9182 Area: 4,790 sq.ft. 0.1100 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0004 Course: S 00-15-36 W
Error North: -0.00035 East : -0.00000
Precision 1: 992,295.5000

EXHIBIT C

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
111-S
BUT-27-18.55
11/12/07

PARCEL 111-S
BUT-27-18.55
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A SEWER

Perpetual easement for the construction and maintenance of a sewer in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1948 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book____, Page____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on the Grantor's northwesterly property line and the existing southwesterly right of way line of U.S. 27 said point being 52.47 feet left of station 1005+42.08 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 38 degrees 18 minutes 17 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 59.53 feet to a point;

Thence, South 43 degrees 38 minutes 23 seconds West along the proposed southwesterly right of way line of U.S. 27 a distance of 16.12 feet to a point;

Thence, North 40 degrees 11 minutes 48 seconds West a distance of 59.06 feet to a point on the Grantor's northwesterly property line;

Thence, North 42 degrees 54 minutes 40 seconds East along Grantor's northwesterly property line a distance of 18.12 feet to the **TRUE POINT OF BEGINNING** containing **0.0231** acres more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

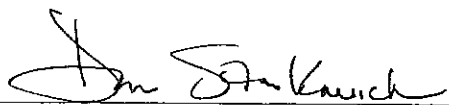
2

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
111-S
BUT-27-18.55
11/12/07

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



Nov 12, 2007
Date

U.S. 27 18.55
August 8, 2007

Parcel name: 111S

North: 563713.3090	East : 1329096.2232
Line Course: S 38-18-17 E	Length: 59.53
North: 563666.5942	East : 1329133.1222
Line Course: S 43-38-23 W	Length: 16.12
North: 563654.9282	East : 1329121.9975
Line Course: N 40-11-48 W	Length: 59.06
North: 563700.0402	East : 1329083.8794
Line Course: N 42-54-40 E	Length: 18.12
North: 563713.3115	East : 1329096.2166

Perimeter: 152.83 Area: 1,006 sq.ft. 0.0231 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0070 Course: N 69-17-01 W
Error North: 0.00248 East : -0.00656
Precision 1: 21,832.86

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
110-WD
BUT-27-18.55
08/08/07

PARCEL 110-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in City of Oxford, County of Butler, and State of Ohio, being a part of Original Oxford Township Section 16, T5N, R1E, being also a part of Oxford City Lot 1942 and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the southeasterly corner of Oxford City Lot 1942, said point also being Grantor's southeasterly corner, said point being located at centerline Station 995+06.84 of U.S. 27;

Thence, North 46 degrees 26 minutes 41 seconds West along the southwesterly line of Oxford City Lot 1942 and the centerline of right of way of U.S. 27 a distance of 543.14 feet to a iron rod to be set in a monument box at an angle point;

Thence, North 46 degrees 22 minutes 01 seconds West along the southwesterly line of Oxford City Lot 1942 and the centerline of right of way of U.S. 27 a distance of 250.27 feet, to a point at the Grantor's southeasterly corner, said point being located at centerline Station 1003+00.25 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence continuing North 46 degrees 22 minutes 01 seconds West , 109.32 feet, along the southwesterly line of Oxford City Lot 1942 , the Grantor's southwesterly property line, and the centerline of right of way of U.S. 27, to a point of curvature;

Thence 201.56 feet, along an arc of a curve to the right, having a radius of 22918.30 feet, a central angle of 00 degrees 30 minutes 14 seconds, and a chord which bears North 46 degrees 06 minutes 54 seconds West, 201.56 feet, to a point at the Grantor's southwesterly property corner;

Thence, North 43 degrees 45 minutes 20 seconds East Grantor's, 48.03 feet, along the Grantor's northwesterly property line, to a rebar set on the proposed northeasterly right of way line of U.S. 27;

Thence, South 49 degrees 13 minutes 48 seconds East, along the proposed northeasterly right of way line of U.S. 27 a distance of 77.87, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
110-WD
BUT-27-18.55
08/08/07

Thence, North 43 degrees 45 minutes 53 seconds East, 18.36 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 51 degrees 07 minutes 01 seconds East, 155.25 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 75 degrees 43 minutes 27 seconds East, 55.99 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 46 degrees 47 minutes 59 seconds East, 29.73 feet, along the proposed northeasterly right of way line of U.S. 27, to a rebar set on the Grantor's southeasterly property line;

Thence, South 43 degrees 45 minutes 24 seconds West, 111.70 feet, along Grantor's easterly property line, to **TRUE POINT OF BEGINNING** containing **0.5505 acres, of which 0.4418 acres are Present Road Occupied.**

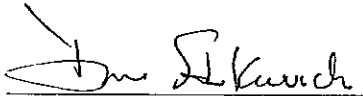
Of the above described area, 0.4974 acres of land, of which 0.4012 acres are present road occupied, are contained in Auditor Parcel Number H4100028000001, and 0.0531 acres of land, of which 0.0406 acres are present road occupied, are contained in Auditor Parcel Number H4100028000008.

Grantor claims title by instrument(s) recorded in Official Record 5303, Page 611 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and are to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.


Dan Stankavich, P.S. 7122



August 8, 2007
Date

APPROVED


Jiny-Han Chen
CITY OF OXFORD

101 E. HIGH ST
OXFORD, OH 45056-1288

US 27 18.55
August 8, 2007

Parcel name: 110WD

North: 563583.9259	East : 1329307.4093
Line Course: N 46-22-01 W	Length: 109.32
North: 563659.3607	East : 1329228.2863
Curve Length: 201.56	Radius: 22918.30
Delta: 0-30-14	Tangent: 100.81
Chord: 201.56	Course: N 46-06-54 W
Course In: N 43-37-59 E	Course Out: S 44-08-13 W
RP North: 580247.0277	East : 1345042.7665
End North: 563799.0812	East : 1329083.0192
Line Course: N 43-45-20 E	Length: 48.03
North: 563833.7731	East : 1329116.2360
Line Course: S 49-13-48 E	Length: 77.87
North: 563782.9221	East : 1329175.2098
Line Course: N 43-45-53 E	Length: 18.36
North: 563796.1815	East : 1329187.9094
Line Course: S 51-07-01 E	Length: 155.25
North: 563698.7259	East : 1329308.7605
Line Course: S 75-43-27 E	Length: 55.99
North: 563684.9193	East : 1329363.0215
Line Course: S 46-47-59 E	Length: 29.73
North: 563664.5676	East : 1329384.6936
Line Course: S 43-45-24 W	Length: 111.70
North: 563583.8886	East : 1329307.4422

Perimeter: 807.87 Area: 23,981 sq.ft. 0.5505 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0497 Course: S 41-25-58 E
Error North: -0.03729 East : 0.03292
Precision 1: 16,253.72

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
110-T
BUT-27-18.55
08/06/07

**PARCEL 110-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1942 and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's northwesterly property line and the existing northeasterly right of way line of U.S. 27, said point being 48.03 feet right of station 1006+11.50 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, North 43 degrees 45 minutes 20 seconds East along Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1942 a distance of 19.61 feet to a point;

Thence, South 46 degrees 14 minutes 45 seconds East a distance of 36.00 feet to a point;

Thence, South 57 degrees 44 minutes 12 seconds East a distance of 47.72 feet to a point;

Thence, South 51 degrees 07 minutes 01 seconds East a distance of 163.35 feet to a point on the proposed northeasterly right of way line of U.S. 27;

Thence, North 75 degrees 43 minutes 27 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 15.01 feet to a point;

Thence, North 51 degrees 07 minutes 01 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 155.25 feet to a point;

Thence, North 43 degrees 45 minutes 53 seconds West along the proposed northeasterly right of way line of U.S. 27 a distance of 18.36 feet to a point;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
110-T
BUT-27-18.55
08/06/07

Thence, North 49 degrees 13 minutes 48 seconds West along the existing northeasterly right of way line of U.S. 27 a distance of 77.87 feet to the **TRUE POINT OF BEGINNING** containing **0.0586 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 6, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



A handwritten signature in black ink, appearing to read "Dan Stankavich", written over a horizontal line.

Dan Stankavich, P.S. 7122

August 6, 2007
Date

US 27 18.55
August 6, 2007

Parcel name: 110T

North: 563847.9728	East : 1329129.7558
Line Course: S 46-14-45 E	Length: 36.00
North: 563823.0765	East : 1329155.7591
Line Course: S 57-44-12 E	Length: 47.72
North: 563797.6030	East : 1329196.1113
Line Course: S 51-07-01 E	Length: 163.35
North: 563695.0628	East : 1329323.2677
Line Course: N 75-43-27 W	Length: 15.01
North: 563698.7642	East : 1329308.7212
Line Course: N 51-07-01 W	Length: 155.25
North: 563796.2197	East : 1329187.8701
Line Course: S 43-45-53 W	Length: 18.36
North: 563782.9604	East : 1329175.1705
Line Course: N 49-13-48 W	Length: 77.87
North: 563833.8113	East : 1329116.1967
Line Course: N 43-45-20 E	Length: 19.61
North: 563847.9756	East : 1329129.7586
Line Course: S 46-14-06 E	Length: 0.00
North: 563847.9756	East : 1329129.7586

Perimeter: 533.16 Area: 2,554 sq.ft. 0.0586 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0039 Course: N 45-37-25 E

Error North: 0.00274 East : 0.00280

Precision 1: 136,710.26

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED AT THE CORNER OF COLLEGE CORNER ROAD AND TODD ROAD FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 118-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 118-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Ohio Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

Agenda Item 5

5F + 6A5

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
118-WD
BUT-27-18.55
11/12/07

PARCEL 118-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

APPROVED
BY BCFO
BB
2-25-09

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in City of Oxford, County of Butler, and State of Ohio, being a part of Original Oxford Township Section 16, T5N, R1E, being also a part of Lot 5 and Lot 6, and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book _____, Page _____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a magnetic nail found at the northeast corner of Lot 5, said nail also being the southeast corner of Lot 6, said point also being on the centerline of Todd Road, and also being on the Grantor's easterly property line and being located 376.66 feet right of centerline Station 1023+69.62 of U.S. 27 and at centerline Station 5+28.08 on the centerline of Todd Road, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described;

Thence, South 02 degrees 16 minutes 58 seconds West, 528.08 feet, along the east line of Lot 5 and the centerline of right of way of Todd Road, the Grantor's easterly property line, and the centerline of right of way of Todd Road, to a point in the centerline of U.S. 27, said point also being the Grantor's southeasterly corner;

Thence 139.88 feet, along the Grantor's southwesterly property line and the centerline of right of way of US 27, and along an arc of a curve to the right having a radius of 12277.70 feet, a central angle of 00 degrees 39 minutes 10 seconds, and a chord which bears North 43 degrees 25 minutes 36 seconds West, 139.87 feet, to a rebar to be set in a monument box at a point of tangency;

Thence, North 43 degrees 06 minutes 01 seconds West, 978.37 feet, along the centerline of right of way of U.S. 27 and the Grantor's southwesterly property line, to point at the Grantor's northwesterly property corner;

Thence, North 46 degrees 53 minutes 59 seconds East, 52.95 feet, along the Grantor's northerly property line, to a rebar set on the existing northeasterly right of way line of U.S. 27;

Thence, South 41 degrees 39 minutes 26 seconds East, 117.02 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
118-WD
BUT-27-18.55
11/12/07

Thence, South 47 degrees 59 minutes 58 seconds East, 351.28 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, South 43 degrees 06 minutes 01 seconds East, 440.06 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, North 88 degrees 41 minutes 50 seconds East, 14.00 feet, along the existing northeasterly right of way line of U.S. 27, to a rebar set;

Thence, North 14 degrees 37 minutes 38 seconds East, 223.23 feet, to a rebar set on the existing west right of way line of Todd Road;

Thence North 02 degrees 16 minutes 58 seconds East, 104.67 feet, along the existing west right of way line of Todd Road, to a point on the north line of Lot 5;

Thence South 87 degrees 18 minutes 18 seconds East, 33.00 feet, to **TRUE POINT OF BEGINNING** containing **2.2519** acres, of which **2.1276** acres are **Present Road Occupied**.

Of the above described area, 1.7116 acres, of which 1.5873 acres are present road occupied, are in Lot 5 and 0.5403 acres, of which 0.5403 acres area present road occupied, are in Lot 6.

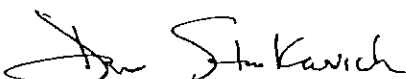
The above described area is contained in Auditor Parcel Number H36100016000002.

Grantor claims title by instrument(s) recorded in Deed Book 7717, Page 1345 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and are to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.

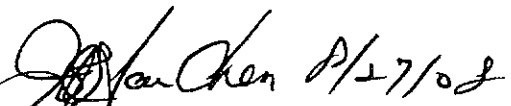

Dan Stankavich, P.S. 7122



VOLUME 51 PAGE 159 V.W.
BUTLER COUNTY ENGINEER
LAND
RECORD OF SURVEYS

Nov 12, 2007
Date

APPROVED

 P/27/08

CITY OF OXFORD
101 E. HIGH ST
OXFORD, OH 45056-1887

US 27 18.44
August 10, 2007

118WD.txt

Parcel name: 118WD

Curve	North: 564774.8323	East : 1328096.4778
	Length: 139.88	Radius: 12277.70
	Delta: 0-39-10	Tangent: 69.93
	Chord: 139.87	Course: N 43-25-36 W
	Course In: N 46-14-49 E	Course Out: S 46-53-59 W
RP	North: 573265.4951	East : 1336964.9930
End	North: 564876.4212	East : 1328000.3203
Line	Course: N 43-06-01 W	Length: 978.37
	North: 565590.7868	East : 1327331.8222
Line	Course: N 46-53-59 E	Length: 52.95
	North: 565626.9664	East : 1327370.4842
Line	Course: S 41-39-26 E	Length: 117.02
	North: 565539.5367	East : 1327448.2642
Line	Course: S 47-59-58 E	Length: 351.28
	North: 565304.4819	East : 1327709.3138
Line	Course: S 43-06-01 E	Length: 440.06
	North: 564983.1682	East : 1328009.9968
Line	Course: N 88-41-50 E	Length: 14.00
	North: 564983.4865	East : 1328023.9932
Line	Course: N 14-37-38 E	Length: 223.23
	North: 565199.4815	East : 1328080.3653
Line	Course: N 02-16-58 E	Length: 104.67
	North: 565304.0684	East : 1328084.5344
Line	Course: S 87-18-18 E	Length: 33.00
	North: 565302.5168	East : 1328117.4979
Line	Course: S 02-16-58 W	Length: 528.08
	North: 564774.8558	East : 1328096.4637

Perimeter: 2982.54 Area: 98,091 sq.ft. 2.2519 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0274 Course: N 30-45-56 W
Error North: 0.02355 East : -0.01402
Precision 1: 108,851.82

EXHIBIT B

PHD
PARCEL
CTY-RTE-SUT
Version Date

Page 1 of 2
77099
118-1
BUT-27-18.55
08/10/17

**PARCEL 118-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and being more fully described as follows:

Being a parcel of land lying on the right side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on the existing northeasterly right of way line of U.S. 27, said point being 80.00 feet right of station 1022+09.94 the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, North 43 degrees 06 minutes 01 seconds West, 440.06 feet, along the existing northeasterly right of way line of U.S. 27, to a point;

Thence, North 47 degrees 59 minutes 58 seconds West, 34.37 feet, along the existing northeasterly right of way line of U.S. 27, to a point;

Thence, North 55 degrees 12 minutes 47 seconds East, 6.00 feet, to a point;

Thence, South 43 degrees 06 minutes 01 seconds East, 340.00 feet, to a point;

Thence, South 46 degrees 04 minutes 54 seconds East a distance of 142.97 feet to a point on the proposed northeasterly right of way line of U.S. 27;

Thence, South 88 degrees 41 minutes 50 seconds West, 14.00 feet, along the proposed northeasterly right of way line of U.S. 27, to the **TRUE POINT OF BEGINNING** containing **0.0455 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

EXHIBIT A

PHD
PARCEL
CTY-RTS-SEC
Version Date

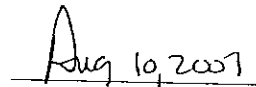
Page 2 of 2
77099
118-T
BU 1-27-18 55
08/10/07

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 10, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122





Date

US 27 18.55
August 10, 2007

Parcel name: 118T

North: 564983.1502	East : 1328010.0091
Line Course: N 43-06-01 W	Length: 440.06
North: 565304.4640	East : 1327709.3261
Line Course: N 47-59-58 W	Length: 34.37
North: 565327.4622	East : 1327683.7844
Line Course: N 55-12-47 E	Length: 6.00
North: 565330.8854	East : 1327688.7121
Line Course: S 43-06-01 E	Length: 340.00
North: 565082.6313	East : 1327921.0264
Line Course: S 46-04-54 E	Length: 142.97
North: 564983.4627	East : 1328024.0119
Line Course: S 88-41-50 W	Length: 14.00
North: 564983.1444	East : 1328010.0155

Perimeter: 977.40 Area: 1,981 sq.ft. 0.0455 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086	Course: S 47-43-58 E
Error North: -0.00579	East : 0.00637
Precision 1: 113,651.16	

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: July 7, 2009

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

June 29, 2009

Date Prepared

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US27 N Phase III
But 27-18.55 PID # 77099**

Recommendation: Approve

Discussion: The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 North. Phase III of said improvements will widen the roadway and create a center turning lane for approximately 4950 feet (from Melanee Lane / Merry Day Drive to the Corporate limits). Improvements will also include the construction of curb/gutter, a stormwater sewer system, sidewalks on both sides of the roadway, improved street lighting, and the addition of street tree plantings.

The City has evaluated the need for ROW acquisition on approximately 60 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are five owners that have not yet come to an agreement with the City.

The City contracted with M*E Companies to oversee fair market value negotiations with property owners impacted by Phase III of the US27 North project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the five properties that have not been resolved, Fair Market Value (FMV) estimates range from \$300 to \$32,230. Should all of the properties settle for FMV, the cost is estimated at \$60,200.

Service Department staff recommends moving forward with appropriation proceedings so that we may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on October 21, 2009, and awarding a construction contract shortly thereafter.

\$571,000 has been approved by ODOT for the acquisition of ROW and comes from the 2005 Appropriation earmark from the federal budget for improvements specified in the Northwest Butler Transportation Study. The City will request that any funds not utilized for ROW acquisition be allocated for construction expenses. The latest project estimate as prepared by the engineering consultant is \$4,370,000 (excluding construction engineering costs from ODOT). OKI has committed \$2,265,000 to the project, therefore the local share required for deposit with ODOT will be approximately \$2,105,000. The City has already encumbered approximately \$1,500,000, therefore additional funding of approximately \$605,000 will be required to proceed with the final phase of this project.

Approved By:

Department Head:

City Manager:

Initial

Date

MBD 7/1/09

[Signature] 7.1.09

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE TO PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED ON OXFORD COLLEGE CORNER RD. NEAR TODD RD. FOR THE PURPOSE OF PERMANENT RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION I: The City Council of Oxford, Ohio by Resolution No. ____ passed _____, declared its intention to appropriate certain real property hereinafter described as permanent rights-of-way and temporary easements for construction for the purpose of widening of Oxford College Corner Road from two lanes to three lanes to incorporate a center turn lane which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate has been served upon the owner of, person in possession of, or person having a record interest in the said property according to law, and a return of service has been made to the City. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION II: The City's acquisition of the real property described in Section III here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION III: The lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 117-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

SECTION IV: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION V: The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION VI: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, and general welfare of the City of Oxford. The reason for said emergency is the immediate necessity to assemble properties necessary to construct public improvements. Therefore, this ordinance shall become effective immediately.

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

PARCEL 117-WD
BUT-27-18.55ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Lot 5, Section 16, T5N, R1E, and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the intersection of the centerline of right of way of U.S. 27 and the north line of Lot 5, witness a railroad spike found at the northwest corner of Lot 5, North 87 degrees 17 minutes 38 seconds West, 1328.30 feet, said point being located at centerline Station 1027+56.96 of US 27;

Thence South 43 degrees 06 minutes 01 seconds West, 391.80 feet, along the existing centerline of right way U.S. 27, to a point at the Grantor's northeast corner and being at Station 1023+65.16 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, continuing South 43 degrees 06 minutes 01 seconds East, 63.63 feet, along Grantor's northeasterly property line and the existing centerline of right of way of U.S. 27, to a point at the Grantor's southeast property corner;

Thence, South 31 degrees 50 minutes 11 seconds West, 83.80 feet, along the Grantor's southeast property line, to a rebar set on the proposed southwesterly right of way line of U.S. 27;

Thence, North 43 degrees 43 minutes 07 seconds West, 63.45 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the Grantor's northwesterly property line;

Thence, North 31 degrees 50 minutes 41 seconds East, 84.51 feet, along the Grantor's northwesterly property line, to the **TRUE POINT OF BEGINNING** containing 0.1187 acres, of which 0.1163 acres are Present Road Occupied.

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
117-WD
BUT-27-18.55
11/12/07

The above described area is contained in Auditor Parcel Number H4000028000005.

Grantor claims title by instrument of record in Official Record 6105, Page 1705 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.


Dan Stankavich, P.S. 7122



Nov 12, 2007
Date

APPROVED

 8/27/08
Jerry Han Chen

CITY OF OXFORD
101 E. HIGH ST
OXFORD, OH 45056-1887

US 27 18.55
August 10,2007

Parcel name: 117WD

North: 565041.8283	East : 1327845.5332
Line Course: S 43-06-01 E	Length: 63.63
North: 564995.3683	East : 1327889.0101
Line Course: S 31-50-41 W	Length: 83.80
North: 564924.1817	East : 1327844.7956
Line Course: N 43-43-07 W	Length: 63.45
North: 564970.0398	East : 1327800.9442
Line Course: N 31-50-41 E	Length: 84.51
North: 565041.8294	East : 1327845.5333

Perimeter: 295.39 Area: 5,171 sq.ft. 0.1187 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0012 Course: N 07-52-44 E
 Error North: 0.00114 East : 0.00016
 Precision 1: 246,158.33

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED AT AND NEAR 5500 OXFORD COLLEGE CORNER ROAD FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, includes the following:

Permanent Take of Parcel 110-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 110-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED AT 5735 OXFORD COLLEGE CORNER ROAD FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 116-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 116-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
116-WD
BUT-27-18.55
11/12/07

PARCEL 116-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 2972 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the northeast corner of City Lot 2972, said point also being the Grantor's northeast corner, said point being located at centerline Station 1023+01.53 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, South 43 degrees 06 minutes 01 seconds East, 162.92 feet, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to a rebar to be set in a monument box at a point of curvature;

Thence 525.00 feet, along the arc of a curve to the left, having a radius of 12277.70 feet, a central angle of 02 degrees 27 minutes 00 seconds, a tangent of 262.54 feet, and a chord bearing South 44 degrees 19 minutes 31 seconds East, 524.96 feet, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to a rebar to be set in a monument box at a point of tangency;

Thence, South 45 degrees 33 minutes 01 seconds East, 852.89 feet, along the existing, along Grantor's northeasterly property line, the existing centerline of right of way of U.S. 27, and the northeasterly line of Oxford City Lot 2972, to point at the Grantor's southeast property corner;

Thence, South 34 degrees 29 minutes 01 seconds West, 42.08 feet, along the southeasterly line of City Lot 2972 and the Grantor's southeast property line, to a rebar set on the proposed southwesterly right of way line of U.S. 27;

Thence, North 45 degrees 38 minutes 33 seconds West, 24.15 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the existing southwesterly right of way line of U.S. 27;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
116-WD
BUT-27-18.55
11/12/07

Thence, North 54 degrees 27 minutes 45 seconds West, 22.68 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 45 degrees 33 minutes 01 seconds West, 813.61 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 45 minutes 34 seconds West, 332.56 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 47 degrees 57 minutes 06 seconds West, 195.58 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 39 minutes 59 seconds West, 40.44 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, South 46 degrees 53 minutes 59 seconds West, 10.54 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 38 degrees 04 minutes 09 seconds West, 47.94 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 43 minutes 07 seconds West, 53.05 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the Grantor's northwesterly property line and the northwesterly line of City Lot 2972;

Thence, North 31 degrees 50 minutes 41 seconds East, 83.80 feet, along the Grantor's northwesterly property line and the northwesterly line of City Lot 2972, to the **TRUE POINT OF BEGINNING** containing 1.8238 acres, of which 1.8128 acres are Present Road Occupied.

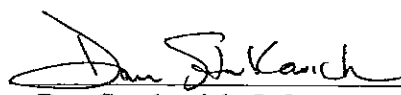
The above described area is contained in Auditor Parcel Number H4100028000013 (City Lot 1947).

Grantor claims title by instrument of a plat recorded in Official Record 1772, Page 482 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

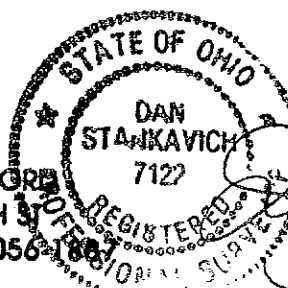
All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.

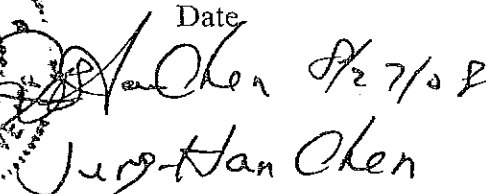

Dan Stankavich, P.S. 7122

APPROVED

CITY OF OXFORD
101 E. HIGH ST.
OXFORD, OH 45056-1887



Nov 12, 2007
Date


Jerry Han Chen

US 27 18.55
August 8, 2007

116WD.txt

Parcel name: 116WD

North: 564995.3686 East : 1327889.0099
Line Course: S 43-06-01 E Length: 162.92
North: 564876.4111 East : 1328000.3295
Curve Length: 525.00 Radius: 12277.70
Delta: 2-27-00 Tangent: 262.54
Chord: 524.96 Course: S 44-19-31 E
Course In: N 46-53-59 E Course Out: S 44-26-59 W
RP North: 573265.4849 East : 1336965.0022
End North: 564500.8618 East : 1328367.1363
Line Course: S 45-33-01 E Length: 852.89
North: 563903.5973 East : 1328975.9848
Line Course: S 34-29-01 W Length: 42.08
North: 563868.9113 East : 1328952.1603
Line Course: N 45-38-33 W Length: 24.15
North: 563885.7953 East : 1328934.8933
Line Course: N 54-27-45 W Length: 22.68
North: 563898.9778 East : 1328916.4378
Line Course: N 45-33-01 W Length: 813.61
North: 564468.7351 East : 1328335.6299
Line Course: N 46-45-34 W Length: 332.56
North: 564696.5596 East : 1328093.3653
Line Course: N 47-57-06 W Length: 195.58
North: 564827.5508 East : 1327948.1314
Line Course: N 46-39-59 W Length: 40.44
North: 564855.3025 East : 1327918.7166
Line Course: S 46-53-59 W Length: 10.54
North: 564848.1008 East : 1327911.0207
Line Course: N 38-04-09 W Length: 47.94
North: 564885.8423 East : 1327881.4603
Line Course: N 43-43-07 W Length: 53.05
North: 564924.1838 East : 1327844.7966
Line Course: N 31-50-41 E Length: 83.80
North: 564995.3704 East : 1327889.0110

Perimeter: 3207.25 Area: 79,446 sq.ft. 1.8238 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0021 Course: N 31-28-27 E
Error North: 0.00181 East : 0.00111
Precision 1: 1,527,257.14

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
116-T
BUT-27-18.55
08/08/07

**PARCEL 116-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 2972 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book _____, Page _____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's southeasterly property line and the proposed southwesterly right of way line of U.S. 27 said point being 41.45 feet left of station 1007+53.44 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 34 degrees 29 minutes 01 seconds West along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 2972 a distance of 9.09 feet to a point;

Thence, North 48 degrees 02 minutes 09 seconds West a distance of 55.76 feet to a point;

Thence, South 81 degrees 29 minutes 35 seconds West a distance of 31.66 feet to a point;

Thence, North 45 degrees 17 minutes 19 seconds West a distance of 38.07 feet to a point;

Thence, North 15 degrees 47 minutes 11 seconds East a distance of 6.08 feet to a point;

Thence, North 45 degrees 33 minutes 01 seconds West a distance of 328.98 feet to a point;

Thence, South 86 degrees 37 minutes 30 seconds West a distance of 52.46 feet to a point;

Thence, North 06 degrees 53 minutes 14 seconds West a distance of 78.83 feet to a point;

Thence, North 45 degrees 16 minutes 04 seconds West a distance of 715.94 feet to a point;

Thence, South 54 degrees 02 minutes 50 seconds West a distance of 32.08 feet to a point;

Thence, North 77 degrees 08 minutes 54 seconds West a distance of 48.76 feet to a point;

Thence, North 43 degrees 45 minutes 10 seconds West a distance of 5.05 feet to a point;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
116-T
BUT-27-18.55
08/08/07

Thence, North 26 degrees 57 minutes 05 seconds East a distance of 60.90 feet to a point on the existing southwesterly right of way line of U.S. 27;

Thence, South 47 degrees 57 minutes 06 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 133.58 feet to a point;

Thence, South 46 degrees 45 minutes 34 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 332.56 feet to a point;

Thence, South 45 degrees 33 minutes 01 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 813.61 feet to a point;

Thence, South 54 degrees 27 minutes 45 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 22.68 feet to a point;

Thence, South 45 degrees 38 minutes 33 seconds East along the proposed southwesterly right of way line of U.S. 27 a distance of 24.15 feet to the **TRUE POINT OF BEGINNING** containing **0.6382 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.





Dan Stankavich, P.S. 7122

August 8, 2007
Date

US 27 PHASE 3
11:11 AM 3/27/2007

Parcel name: 116T

North: 564786.0279	East : 1327994.1670
Line Course: S 47-57-06 E	Length: 133.5762
North: 564696.5642	East : 1328093.3580
Line Course: S 46-45-34 E	Length: 332.5648
North: 564468.7364	East : 1328335.6261
Line Course: S 45-33-01 E	Length: 813.6100
North: 563898.9791	East : 1328916.4340
Line Course: S 54-27-45 E	Length: 22.6797
North: 563885.7968	East : 1328934.8893
Line Course: S 45-38-33 E	Length: 24.1540
North: 563868.9100	East : 1328952.1592
Line Course: S 34-29-01 W	Length: 9.0914
North: 563861.4160	East : 1328947.0119
Line Course: N 48-02-09 W	Length: 55.7602
North: 563898.7010	East : 1328905.5507
Line Course: S 81-29-35 W	Length: 31.6629
North: 563894.0171	East : 1328874.2361
Line Course: N 45-17-19 W	Length: 38.0709
North: 563920.8013	East : 1328847.1807
Line Course: N 15-47-11 E	Length: 6.0845
North: 563926.6564	East : 1328848.8360
Line Course: N 45-33-01 W	Length: 328.9847
North: 564157.0388	East : 1328613.9852
Line Course: S 86-37-30 W	Length: 52.4586
North: 564153.9505	East : 1328561.6176
Line Course: N 06-53-14 W	Length: 78.8260
North: 564232.2077	East : 1328552.1652
Line Course: N 45-16-04 W	Length: 715.9438
North: 564736.0849	East : 1328043.5560
Line Course: S 54-02-50 W	Length: 32.0762
North: 564717.2524	East : 1328017.5903
Line Course: N 77-08-54 W	Length: 48.7567
North: 564728.0972	East : 1327970.0550
Line Course: N 43-45-10 W	Length: 5.0469
North: 564731.7427	East : 1327966.5648
Line Course: N 26-57-05 E	Length: 60.8985
North: 564786.0271	East : 1327994.1661

Perimeter: 2790.2461 Area: 27,801 sq.ft. 0.6382 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0012 Course: S 51-31-20 W

Error North: -0.00072 East : -0.00091

Precision 1: 2,325,205.0000

EXHIBIT APID
PARCEL
CTY-RTE-SEC
Version DatePage 1 of 3
77099
111-WD
BUT-27-18.55
11/12/07

PARCEL 111-WD
BUT-27-18.55
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lots 1948 and 1949 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the southeast corner of City Lot 1949, said point also being the Grantor's southeast corner, said point being located at centerline Station 1000+05.11 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, South 49 degrees 32 minutes 52 seconds West, 45.25 feet, along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 1949 to a rebar set on the existing southwesterly right of way line of U.S. 27;

Thence, North 46 degrees 26 minutes 41 seconds West, 40.23 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 52 degrees 04 minutes 39 seconds West, 100.50 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 46 degrees 22 minutes 01 seconds West, 23.35 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 33 minutes 19 seconds East, 10.64 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 58 degrees 36 minutes 26 seconds West, 107.41 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 50 degrees 54 minutes 17 seconds West, 50.15 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 41 degrees 03 minutes 07 seconds West, 50.22 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 3
77099
111-WD
BUT-27-18.55
11/12/07

Thence, North 43 degrees 30 minutes 44 seconds West, 105.26 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set;

Thence, North 43 degrees 38 minutes 23 seconds East, 22.05 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the existing southwesterly right of way line of US 27;

Thence, North 38 degrees 18 minutes 17 seconds West, 59.53 feet, along the existing southwesterly right of way line of U.S. 27, to a rebar set on Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1948;

Thence, North 42 degrees 54 minutes 40 seconds East, 52.47 feet, along the Grantor's northwesterly property line and the northwesterly line of Oxford City Lot 1948, to a point on the centerline of U.S. 27 and the Grantor's northeasterly property corner;

Thence 133.44 feet, along the arc of a curve to the left, having a radius of 22918.30 feet, a central angle of 00 degrees 20 minutes 01 seconds, a tangent of 66.74 feet, and a chord bearing South 46 degrees 12 minutes 01 seconds East, 133.44 feet, to a rebar to be set in a monument box assembly at a point of tangency;

Thence, South 46 degrees 22 minutes 01 seconds East, 359.58 feet, along the existing centerline of U.S. 27 and the Grantor's northeasterly property line, to a rebar to be set in a monument box assembly at an angle point;

Thence, South 46 degrees 26 minutes 41 seconds East, 44.87 feet, along the Grantor's northeasterly property line and the existing centerline of U.S. 27 to the **TRUE POINT OF BEGINNING** containing **0.8632 acres, of which 0.7496 acres are Present Road Occupied.**

Of the above described area, 0.2647 acres of land, of which 0.2458 acres are present road occupied, are contained in Auditor Parcel Number H4100030000004 (City Lot 1949) , and 0.5985 acres of land, of which 0.5038 acres are present road occupied, are contained in Auditor Parcel Number H4100030000005 (City Lot 1948).

Grantor claims title by instrument(s) recorded in Official Record 6278, Page 1830 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

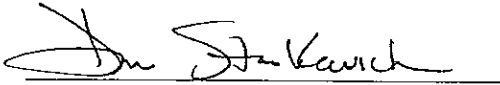
EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 3 of 3
77099
111-WD
BUT-27-18.55
11/12/07

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



Nov 12, 2007

Date

US 27 18.55
August 8, 2006

Parcel name: 111WD

Curve	North: 563751.7421	East : 1329131.9512
	Length: 133.44	Radius: 22918.30
	Delta: 0-20-01	Tangent: 66.74
	Chord: 133.44	Course: S 46-12-01 E
	Course In: N 43-58-00 E	Course Out: S 43-37-59 W
RP	North: 580247.0468	East : 1345042.7462
End	North: 563659.3799	East : 1329228.2661
Line	Course: S 46-22-01 E	Length: 359.58
	North: 563411.2563	East : 1329488.5207
Line	Course: S 46-26-41 E	Length: 44.87
	North: 563380.3384	East : 1329521.0385
Line	Course: S 49-32-52 W	Length: 45.25
	North: 563350.9796	East : 1329486.6056
Line	Course: N 46-26-41 W	Length: 40.23
	North: 563378.7002	East : 1329457.4505
Line	Course: N 52-04-39 W	Length: 100.50
	North: 563440.4670	East : 1329378.1718
Line	Course: N 46-22-01 W	Length: 23.35
	North: 563456.5794	East : 1329361.2717
Line	Course: S 43-33-19 W	Length: 10.64
	North: 563448.8685	East : 1329353.9402
Line	Course: N 58-36-26 W	Length: 107.41
	North: 563504.8186	East : 1329262.2532
Line	Course: N 50-54-17 W	Length: 50.15
	North: 563536.4438	East : 1329223.3319
Line	Course: N 41-03-07 W	Length: 50.22
	North: 563574.3154	East : 1329190.3503
Line	Course: N 43-30-44 W	Length: 105.26
	North: 563650.6528	East : 1329117.8778
Line	Course: N 43-38-23 E	Length: 22.05
	North: 563666.6103	East : 1329133.0949
Line	Course: N 38-18-17 W	Length: 59.53
	North: 563713.3250	East : 1329096.1956
Line	Course: N 42-54-40 E	Length: 52.47
	North: 563751.7546	East : 1329131.9205

Perimeter: 1205.00 Area: 37,603 sq.ft. 0.8633 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0331 Course: N 67-51-35 W

Error North: 0.01248 East : -0.03066

Precision 1: 36,403.32

EXHIBIT B

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
111-T
BUT-27-18.55
08/08/07

**PARCEL 111-T
BUT-27-18.55
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONNECT DRIVE, GRADE AND SEED
FOR APPROXIMATELY 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF OXFORD**

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1949 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book_____, Page_____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on Grantor's southeasterly property line and the existing southwesterly right of way line of U.S. 27 said point being 45.00 feet left of station 1000+09.83 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 49 degrees 32 minutes 52 seconds West along Grantor's southeasterly property line and the southeasterly line of Oxford City Lot 1949 a distance of 23.23 feet to a point;

Thence, North 49 degrees 31 minutes 11 seconds West a distance of 23.94 feet to a point;

Thence, South 71 degrees 28 minutes 22 seconds West a distance of 36.91 feet to a point;

Thence, North 46 degrees 26 minutes 41 seconds West a distance of 34.09 feet to a point;

Thence, North 01 degrees 18 minutes 18 seconds West a distance of 60.13 feet to a point;

Thence, North 54 degrees 25 minutes 31 seconds West a distance of 43.09 feet to a point;

Thence, North 43 degrees 33 minutes 19 seconds East a distance of 10.64 feet to a point on the existing southwesterly right of way line of U.S. 27;

Thence, South 46 degrees 22 minutes 01 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 23.35 feet to a point;

Thence, South 52 degrees 04 minutes 39 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 100.50 feet to a point;

2

EXHIBIT A

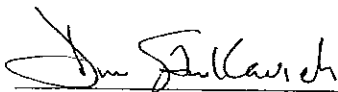
PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
111-T
BUT-27-18.55
08/08/07

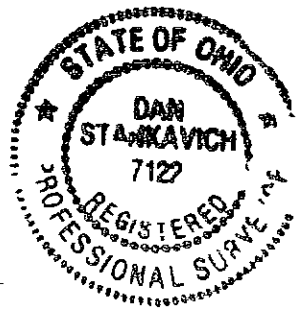
Thence, South 46 degrees 26 minutes 41 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 40.23 feet to the **TRUE POINT OF BEGINNING** containing **0.1100 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on August 8, 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



August 8, 2007
Date

US 27 PHASE 3
11:09 AM 3/27/2007

Parcel name: 111T

North: 563335.8863	East : 1329468.9623
Line Course: N 49-31-11 W	Length: 23.9417
North: 563351.4289	East : 1329450.7515
Line Course: S 71-28-22 W	Length: 36.9131
North: 563339.6996	East : 1329415.7516
Line Course: N 46-26-41 W	Length: 34.0874
North: 563363.1877	East : 1329391.0481
Line Course: N 01-18-18 W	Length: 60.1342
North: 563423.3063	East : 1329389.6785
Line Course: N 54-25-31 W	Length: 43.8994
North: 563448.8454	East : 1329353.9726
Line Course: N 43-33-19 E	Length: 10.6375
North: 563456.5545	East : 1329361.3025
Line Course: S 46-22-01 E	Length: 23.3505
North: 563440.4418	East : 1329378.2029
Line Course: S 52-04-39 E	Length: 100.4988
North: 563378.6757	East : 1329457.4807
Line Course: S 46-26-41 E	Length: 40.2300
North: 563350.9550	East : 1329486.6358
Line Course: S 49-32-52 W	Length: 23.2256
North: 563335.8860	East : 1329468.9623

Perimeter: 396.9182 Area: 4,790 sq.ft. 0.1100 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0004 Course: S 00-15-36 W
Error North: -0.00035 East : -0.00000
Precision 1: 992,295.5000

EXHIBIT C

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 1 of 2
77099
111-S
BUT-27-18.55
11/12/07

PARCEL 111-S
BUT-27-18.55
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A SEWER

Perpetual easement for the construction and maintenance of a sewer in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Section 16, T5N, R1E, and also being part of Oxford City Lot 1948 and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by URS Corporation and recorded in Plat Book____, Page____ of the Butler County Records, and being located within the following described points on the boundary thereof;

Beginning at a point on the Grantor's northwesterly property line and the existing southwesterly right of way line of U.S. 27 said point being 52.47 feet left of station 1005+42.08 on the centerline of right of way of U.S. 27 and the **TRUE POINT OF BEGINNING** of the parcel herein described;

Thence, South 38 degrees 18 minutes 17 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 59.53 feet to a point;

Thence, South 43 degrees 38 minutes 23 seconds West along the proposed southwesterly right of way line of U.S. 27 a distance of 16.12 feet to a point;

Thence, North 40 degrees 11 minutes 48 seconds West a distance of 59.06 feet to a point on the Grantor's northwesterly property line;

Thence, North 42 degrees 54 minutes 40 seconds East along Grantor's northwesterly property line a distance of 18.12 feet to the **TRUE POINT OF BEGINNING** containing **0.0231 acres** more or less.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

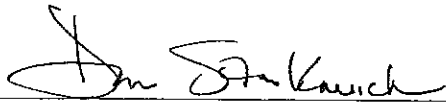
2

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
111-S
BUT-27-18.55
11/12/07

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12 2007, for URS Corporation and is based on a survey performed in 2000 for URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121 and updated by URS Corporation in November 2006 under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.



Dan Stankavich, P.S. 7122



Nov 12, 2007
Date

U.S. 27 18.55
August 8, 2007

Parcel name: 111S

North: 563713.3090	East : 1329096.2232
Line Course: S 38-18-17 E	Length: 59.53
North: 563666.5942	East : 1329133.1222
Line Course: S 43-38-23 W	Length: 16.12
North: 563654.9282	East : 1329121.9975
Line Course: N 40-11-48 W	Length: 59.06
North: 563700.0402	East : 1329083.8794
Line Course: N 42-54-40 E	Length: 18.12
North: 563713.3115	East : 1329096.2166

Perimeter: 152.83 Area: 1,006 sq.ft. 0.0231 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0070 Course: N 69-17-01 W
Error North: 0.00248 East : -0.00656
Precision 1: 21,832.86

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED AT AND NEAR 5495 OXFORD COLLEGE CORNER ROAD FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 111-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

Temporary Easement over Parcel 111-T, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "B."

Perpetual Easement of Parcel 111-S, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "C."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report from the City Manager

City Manager

Originating Department

Council Meeting Of: July 7, 2009

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

July 1, 2009

Date Prepared

Agenda Title: A Resolution by the Oxford City Council appointing the Clerk of Council for the City.

Recommendation:

Discussion:

This resolution will provide for the appointment of the Clerk of Council in accordance with Section 2.09 of the Charter of the City of Oxford.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 7/7/09

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL APPOINTING _____ AS
CLERK OF COUNCIL FOR THE CITY OF OXFORD.

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

SECTION 1: Council having identified the need to fill the Clerk of Council position
hereby appoints _____ as Clerk of Council for the City of Oxford.

SECTION 2: Council in accordance with Section 2.09 of the Charter of the City of
Oxford hereby appoints _____ as Clerk of Council for the City of Oxford.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police
Originating Department

Council Meeting Of: July 7, 2009

Steve Schwein
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

June 30, 2009
Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into an agreement to participate in the Butler County 2009 Justice Assistance Grant Program and share in grant revenues.

Recommendation: Adopt the Resolution.

Discussion: The Justice Assistance Grant is an on-going federal program that enables qualified law enforcement agencies to purchase necessary equipment for the purpose of maintaining public safety *WITHOUT* the requirement of a local match. OPD's crime stats submitted to the FBI qualify for the award. Monies for this grant will be used to purchase radar units as well as graffiti sensing devices. The only requirement of the grant award is that Oxford must sign an interlocal governmental agreement to share in the monies. This agreement should be signed by the City Manager. This resolution both authorizes the City Manager to enter into an interlocal agreement for the purpose of applying for the grant and authorizes the acceptance of the grant for the purpose of buying the equipment.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

RESOLUTION NO. _____

A RESOLUTION BY CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF BUTLER, OHIO; CITY OF HAMILTON, OHIO; CITY OF FAIRFIELD, OHIO; CITY OF MIDDLETOWN, OHIO; CITY OF MONROE, OHIO; FAIRFIELD TOWNSHIP, OHIO; LEMON TOWNSHIP, OHIO; WEST CHESTER TOWNSHIP, OHIO; AND THE CITY OF OXFORD, OHIO TO JOINTLY APPLY FOR THE 2009 EDWARD BYRNE JUSTICE ASSISTANCE GRANT ("JAG") PROGRAM AWARD.

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

SECTION 1: The City Manager and Chief of Police recommend that Oxford enter into an Interlocal Agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford, Ohio to jointly apply for the 2009 JAG Program Award, which will allow Oxford to purchase graffiti sensing equipment and moving radar devices in order to better provide for the public health, safety and welfare of the residents of Oxford, and its visitors.

SECTION 2: Council accepts the recommendation of the City Manager and Chief of Police and hereby authorizes the City Manager to enter into an Interlocal Agreement between the County of Butler, Ohio; City of Hamilton, Ohio; City of Fairfield, Ohio; City of Middletown, Ohio; City of Monroe, Ohio; Fairfield Township, Ohio; Lemon Township, Ohio; West Chester Township, Ohio; and the City of Oxford, Ohio to jointly apply for the 2009 JAG Program Award, which will allow the City to purchase graffiti sensing equipment and moving radar devices.

SECTION 3: The City Manager, is hereby authorized to receive and accept said grant monies and to execute any and all documents on behalf of Oxford to carry out the terms of said grant.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

GMS APPLICATION NUMBER: 2009-H1890-OH-DJ

THE STATE OF OHIO

COUNTY OF BUTLER

**INTERLOCAL AGREEMENT
BETWEEN THE COUNTY OF BUTLER, OHIO; CITY OF HAMILTON, OHIO;
CITY OF FAIRFIELD, OHIO; CITY OF MIDDLETOWN, OHIO;
CITY OF OXFORD, OHIO; FAIRFIELD TOWNSHIP, OHIO; AND
WEST CHESTER TOWNSHIP, OHIO**

2009 LOCAL BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

KNOW BY ALL THESE PRESENT

This Agreement is made and entered into this _____ day of _____, 2009 by and between the COUNTY OF BUTLER, acting by and through its governing body, the Board of Commissioners (hereinafter referred to as COUNTY OF BUTLER); CITY OF HAMILTON, acting through its governing body the City Council (hereinafter referred to as the CITY OF HAMILTON); CITY OF FAIRFIELD, acting through its governing City Council (hereinafter referred to as the CITY OF FAIRFIELD); CITY OF MIDDLETOWN, acting through its governing City Council (hereinafter referred to as the CITY OF MIDDLETOWN); CITY OF OXFORD, acting through its governing City Council (hereinafter referred to as the CITY OF OXFORD); FAIRFIELD TOWNSHIP, and WEST CHESTER TOWNSHIP, acting through its governing body, the Board of Township Trustees (hereinafter referred to as WEST CHESTER TOWNSHIP), all within Butler County, State of Ohio, witnesseth:

WHEREAS, this Agreement is made under the authority of applicable sections of Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions, hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interest of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the COUNTY OF BUTLER, CITY OF HAMILTON, CITY OF FAIRFIELD, CITY OF MIDDLETOWN, CITY OF OXFORD, FAIRFIELD TOWNSHIP, and WEST CHESTER TOWNSHIP, mutually agree that the JAG Local Solicitation award funds for 2009 of \$216,790.00 when drawn by Butler County shall be allocated by Butler County as per the distribution outlined in Section 1 below.

NOW THEREFORE, the COUNTY OF BUTLER, CITY OF HAMILTON, CITY OF FAIRFIELD, CITY OF MIDDLETOWN, CITY OF OXFORD, FAIRFIELD TOWNSHIP, and WEST CHESTER TOWNSHIP agree as follows:

Section 1.

It is mutually agreed by all agencies that Butler County will serve as the applicant/fiscal agency for the joint funds provided under the JAG award.

It is further mutually agreed that the JAG award will be disbursed as follows:

The COUNTY OF BUTLER will retain \$65,037.00 to be used for the Law Enforcement Programs purpose area.

The COUNTY OF BUTLER agrees to provide the CITY OF HAMILTON \$61,482.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF FAIRFIELD \$24,264.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide the CITY OF MIDDLETOWN \$27,678.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide CITY OF OXFORD \$12,544.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide FAIRFIELD TOWNSHIP \$15,668.00 to be used for the Law Enforcement Programs purpose areas.

The COUNTY OF BUTLER agrees to provide WEST CHESTER TOWNSHIP \$10,117.00 to be used for the Law Enforcement Programs purpose areas.

Section 2.

Each of the parties to the Agreement agree to use its share of the allocated funding for the Law Enforcement Program by September 30, 2013.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the COUNTY OF BUTLER other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF HAMILTON other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 5.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF FAIRFIELD other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 6.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF MIDDLETOWN other than claims for which liability may be imposed by the Ohio Tort Claims Act.

Section 7.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF OXFORD other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 8.

Nothing in the performance of this Agreement shall impose any liability for claims against the FAIRFIELD TOWNSHIP other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 9.

Nothing in the performance of this Agreement shall impose any liability for claims against the West Chester TOWNSHIP other than claims for which liability may be imposed by the Ohio Tort Claims Act

Section 10.

Each part to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by another party.

Section 11.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 12.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

COUNTY OF BUTLER

APPROVED AS TO FORM

President _____ Date _____
Board of Commissioners _____

Asst. Butler County _____ Date _____
Prosecutor

CITY OF HAMILTON

City Manager _____ Date _____

City of Hamilton _____ Date _____
Law Director

CITY OF FAIRFIELD

City Manager _____ Date _____

City of Fairfield _____ Date _____
Law Director

CITY OF MIDDLETOWN

City Manager _____ Date _____

City of Middletown
Law Director

CITY OF OXFORD

City Manager _____ Date _____

City of Oxford
Law Director

FAIRFIELD TOWNSHIP

Township Administrator _____ Date _____

Fairfield Township	Date
Law Director	

WEST CHESTER TOWNSHIP

Township Administrator _____ Date _____

West Chester Township Law Director	Date
---------------------------------------	------

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: July 7, 2009

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

June 29, 2009

Date Prepared

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US27 N Phase III
But 27-18.55 PID # 77099**

Recommendation: Approve

Discussion: The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 North. Phase III of said improvements will widen the roadway and create a center turning lane for approximately 4950 feet (from Melanee Lane / Merry Day Drive to the Corporate limits). Improvements will also include the construction of curb/gutter, a stormwater sewer system, sidewalks on both sides of the roadway, improved street lighting, and the addition of street tree plantings.

The City has evaluated the need for ROW acquisition on approximately 60 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are five owners that have not yet come to an agreement with the City.

The City contracted with M*E Companies to oversee fair market value negotiations with property owners impacted by Phase III of the US27 North project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the five properties that have not been resolved, Fair Market Value (FMV) estimates range from \$300 to \$32,230. Should all of the properties settle for FMV, the cost is estimated at \$60,200.

Service Department staff recommends moving forward with appropriation proceedings so that we may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on October 21, 2009, and awarding a construction contract shortly thereafter.

\$571,000 has been approved by ODOT for the acquisition of ROW and comes from the 2005 Appropriation earmark from the federal budget for improvements specified in the Northwest Butler Transportation Study. The City will request that any funds not utilized for ROW acquisition be allocated for construction expenses. The latest project estimate as prepared by the engineering consultant is \$4,370,000 (excluding construction engineering costs from ODOT). OKI has committed \$2,265,000 to the project, therefore the local share required for deposit with ODOT will be approximately \$2,105,000. The City has already encumbered approximately \$1,500,000, therefore additional funding of approximately \$605,000 will be required to proceed with the final phase of this project.

Approved By:

Department Head:

Initial

Date

City Manager:

MBS

7/1/09

DAE 7-1-09

RESOLUTION NO.

A RESOLUTION BY THE OXFORD CITY COUNCIL, BUTLER COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF OXFORD TO APPROPRIATE REAL PROPERTY LOCATED ON OXFORD COLLEGE CORNER ROAD NEAR TODD RD. FOR THE WIDENING OF OXFORD COLLEGE CORNER ROAD (U.S. 27).

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

SECTION 1: It is hereby declared by the Council of the City of Oxford, Ohio to be its intention to appropriate certain real property as more fully described in Section 2 herein for the purpose of widening and improving Oxford College Corner Road, which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: The property and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, include the following:

Permanent Take of Parcel 117-WD, BUT-27-18.55, hereby attached and incorporated by reference as Exhibit "A."

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Oxford take immediate possession of said land, including both permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Section 719.05 of the Revised Code.

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

MAYOR

ADOPTED: _____

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT APID
PARCEL
CTY-RTE-SEC
Version DatePage 1 of 2
77099
117-WD
BUT-27-18.55
11/12/07PARCEL 117-WD
BUT-27-18.55ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors, and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Oxford, County of Butler, and State of Ohio, and being a part of Original Oxford Township Lot 5, Section 16, T5N, R1E, and being more fully described as follows:

Being a parcel of land lying on the left side of the centerline of Right of Way of BUT-27-18.55 as shown on a centerline plat made by the URS Corporation and recorded in Plat Book ____, Page ____ of the Butler County Records, and being located within the following described points of the boundary thereof;

Beginning at a point at the intersection of the centerline of right of way of U.S. 27 and the north line of Lot 5, witness a railroad spike found at the northwest corner of Lot 5, North 87 degrees 17 minutes 38 seconds West, 1328.30 feet, said point being located at centerline Station 1027+56.96 of US 27;

Thence South 43 degrees 06 minutes 01 seconds West, 391.80 feet, along the existing centerline of right way U.S. 27, to a point at the Grantor's northeast corner and being at Station 1023+65.16 of US 27, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described:

Thence, continuing South 43 degrees 06 minutes 01 seconds East, 63.63 feet, along Grantor's northeasterly property line and the existing centerline of right of way of U.S. 27, to a point at the Grantor's southeast property corner;

Thence, South 31 degrees 50 minutes 11 seconds West, 83.80 feet, along the Grantor's southeast property line, to a rebar set on the proposed southwesterly right of way line of U.S. 27;

Thence, North 43 degrees 43 minutes 07 seconds West, 63.45 feet, along the proposed southwesterly right of way line of U.S. 27, to a rebar set on the Grantor's northwesterly property line;

Thence, North 31 degrees 50 minutes 41 seconds East, 84.51 feet, along the Grantor's northwesterly property line, to the **TRUE POINT OF BEGINNING** containing 0.1187 acres, of which 0.1163 acres are Present Road Occupied.

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

Page 2 of 2
77099
117-WD
BUT-27-18.55
11/12/07

The above described area is contained in Auditor Parcel Number H4000028000005.

Grantor claims title by instrument of record in Official Record 6105, Page 1705 of the Butler County Records.

The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

This description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on November 12, 2007, for the URS Corporation, and is based on a survey performed by in 2000 for the URS Corporation under the direction of David D. Smith, Professional Surveyor Number 7121, and updated by the URS Corporation in November of 2006, under the direct supervision of Dan Stankavich, Professional Surveyor Number 7122.


Dan Stankavich, P.S. 7122



Nov 12, 2007
Date

APPROVED

 8/27/08
Jerry Han Chen

CITY OF OXFORD
101 E. HIGH ST
OXFORD, OH 45056-1887

US 27 18.55
August 10, 2007

Parcel name: 117WD

North: 565041.8283	East : 1327845.5332
Line Course: S 43-06-01 E Length: 63.63	
North: 564995.3683	East : 1327889.0101
Line Course: S 31-50-41 W Length: 83.80	
North: 564924.1817	East : 1327844.7956
Line Course: N 43-43-07 W Length: 63.45	
North: 564970.0398	East : 1327800.9442
Line Course: N 31-50-41 E Length: 84.51	
North: 565041.8294	East : 1327845.5333

Perimeter: 295.39 Area: 5,171 sq.ft. 0.1187 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0012 Course: N 07-52-44 E
Error North: 0.00114 East : 0.00016
Precision 1: 246,158.33

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: July 7, 2009

Mary Ann Eaton

Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

June 30, 2009

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, September 18, 2009 from 10:00 P.M. to 2:00 A.M. on the patio at the Shriver Center on Miami's campus for an After Dark and Program Board sponsored party.

Recommendation:

Discussion: This request is for the After Dark and Program Board organization's 'Party on the Patio' at the Shriver Center on Miami's campus.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 7-1-09

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, SEPTEMBER 18, 2009, FROM 10:00 P.M. TO 2:00 A.M. ON THE PATIO AT THE SHRIVER CENTER ON MIAMI'S CAMPUS FOR AN AFTER DARK AND PROGRAM BOARD SPONSORED PARTY.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for an After Dark and Program Board sponsored party on Friday, September 18, 2009, from 10:00 P.M. to 2:00 A.M. on the patio at the Shriver Center on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for an After Dark and Program Board sponsored party on Friday, September 18, 2009, from 10:00 P.M. to 2:00 A.M. on the patio at the Shriver Center on Miami's campus.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : 9/18/09

FROM: 10:00 ^{a.m.}_{p.m.} TO: 2:00 ^{a.m.}_{p.m.}

ACTIVITY/ EVENT TO BE UNDERTAKEN:

Party on the Patio - Concert -
~~two up and coming musicians~~
LOCATION (attach copies of paperwork showing approval to use site): Shriver Back Patio (see attached page for more detail)
NUMBER OF PEOPLE EXPECTED TO ATTEND: 1500

OPEN TO PUBLIC
ALCOHOL AVAILABLE

YES
YES

NO
NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Tri-tec - external sound company

SOUND MONITORING PLANS (including person in charge of this process):

will contact neighboring residents
about concert and periodically drive
through neighborhood to check
sound

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: Program Board

ADDRESS: 701 E. Spring St.

Is this a registered student organization at Miami University? yes

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: JS Bragg

ADDRESS: 701 E Spring St. TEL. #: (513) 529-7127

What is the contact person's relation to the organization (title, etc.)?

Program Board Advisor

ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT
AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF
RELEVANCE.

I have read and understand the rules, conditions and laws applicable to the
waiver of the noise ordinances, and understand that acceptance of them is a
condition of approval. I hereby certify that the event/activity, which is
the subject of this application will be open to the public and alcohol free.

Applicant's signature JS Bragg Date: 6/18/09

Party on the Patio:

Date: 9-18-2009

Location: Shriver Back Patio

Again this year Program Board will be holding Party on the Patio a later in the evening concert which will feature singer song writer Josh Kelly and will have two additional openers. The music choices were made in part because of the type of low key music that Josh plays. He and his openers will play on the back stage of the Shriver Center, thus cutting down on any noise that may carry to surrounding areas. Again we invite members of the community that may be interested in the show to attend. We look forward to another successful year of music.

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: July 7, 2009

Steve Schwein

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

June 12, 2009

Date Prepared

Agenda Title: Resolution to return beer kegs to distribution centers and forward return deposit monies to the Law Enforcement Trust Fund.

Recommendation: Approve

Discussion: Beer Kegs confiscated throughout the year are not returned to the parties from which they were taken when the items are considered seized contraband. Instead of destroying the items, they may be returned to the distributors and the deposit fee that is given to the Oxford Police Department will be turned into the Finance Department for receipt in the Law Enforcement Trust Fund.

Attached is a list of all kegs currently held in property by the Oxford Police Department. They are no longer of evidentiary value, and therefore Chief Steve Schwein and Property Officer Ron Brooks seek approval to return them to the distributors.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS 6/12/09

[Signature] 6/12/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE OXFORD POLICE DIVISION TO RETURN FOR DEPOSIT CERTAIN SEIZED PROPERTY IN ITS POSSESSION.

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

SECTION 1: Pursuant to Oxford Codified Ordinances Section 127.11, the Oxford Police Division having possession of certain seized beer kegs and taps which are redeemable for greater than scrap value, hereby requests authorization to return for deposit said beer kegs and taps.

SECTION 2: Council, having reviewed the request, finds it to be beneficial to the City and authorizes the return of seized beer kegs and taps for deposit into the Law Enforcement Trust Fund.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

Memo

To: Chief Stephen Schwein
From: Property Officer Ron Brooks
Subject: Beer Kegs to be Returned for Deposit
Date: 4 June 2009

We currently have several beer kegs and in our possession that were confiscated on alcohol violations or were found by officers with no known owners. Those that are contraband will not be returned to the subjects they were taken from. Instead of destroying them, they should be returned to the local distributors for their deposits. They are as follows:

12431-001	(2) Anheuser Busch beer kegs	10-11-2008
12508	(5) Coors beer kegs	10-24-2008
12549	(1) Anheuser Busch beer keg	11-02-2008
12963-001	(3) Anheuser-Busch beer kegs	02-07-2009

DESTRUCTION OF PROPERTY
ITEMS TO BE USED BY CITY
BEER KEGS TO BE RETURNED FOR DEPOSIT

CITY OF OXFORD, BUTLER COUNTY, OHIO

IN THE MATTER OF THE : No _____
APPLICATION OF THE :
CITY OF OXFORD : APPLICATION FOR AND JUDGMENT
POLICE DEPARTMENT : ENTRY AUTHORIZING THE DISPOSITION
: OF UNCLAIMED OR FORFEITED PROPERTY

Now comes the State of Ohio, City of Oxford, by and through Area I Butler County Court Prosecutor, and moves that the following property be disposed of in accordance with Ohio Revised Code Section 2933.41/2933.41 (D) (8).

SEE ATTACHED SHEETS FOR PROPERTY.

Said property is now in the custody of the Oxford Police Department, Oxford, Ohio, and remains unclaimed or it is unlawful for persons to acquire or possess said property.

06/04/09
Date

Ron Brooks
Ron Brooks
Property Officer, Oxford Police Department

06/04/09
Date

Mike O'Leary
Mike O'Leary
Property Technician, Oxford Police Department

Motion to return to the owner/forfeit to the Oxford Police Department/or be otherwise forfeited and sold at public auction is requested.

Respectfully submitted,

6/4/09
Date

Michael Brooks
Prosecuting Attorney, Area I Butler County Court

ORDER

For good cause shown, it is hereby adjudged and ordered that the above listed property be disposed of as listed above.

6-4-09
Date

Robert H. Lyons
Robert H. Lyons
Judge, Area I Butler County, Court

IN AREA I BUTLER COUNTY COURT

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: July 7, 2009

Account Code No. #: N/A

John Detherage
Prepared By

Budgeted Amount: N/A

June 16, 2009
Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to accept the donation of one set of "X-Struts" vehicle stabilization equipment.

Recommendation: Adopt the Resolution.

Discussion: The Fire Department applied for a grant from the Community Foundation to purchase a set of X-Struts to use in the stabilization of overturned or unstable vehicles, making a safer environment for victims and rescuers. The system consists of four galvanized steel telescoping struts with various attachment tips. This tool takes the place of large amounts of wood cribbing saving valuable storage space on the fire apparatus. Please see attached pictures.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

JD 16-16-09
[Signature] 7-7-09

RESOLUTION NO. _____

A RESOLUTION TO ACCEPT A GIFT OF A SET OF 'X-STRUTS' FROM THE OXFORD COMMUNITY FOUNDATION.

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

SECTION 1: The Grantor, Oxford Community Foundation, has offered to give, and the City is desirous of accepting, a set of 'X-Struts' to be used for vehicle stabilization and rescue.

SECTION 2: The City has the right to acquire property by gift pursuant to Section 715.01 of the Ohio Revised Code.

SECTION 3: The City Manager and Fire Chief recommend acceptance of the gift and, City Council has determined that the City would benefit from accepting the gift and that the same will be used for a proper municipal purpose upon acceptance.

SECTION 4: City Council hereby accepts the gift of a set of 'X-Struts' from the Oxford Community Foundation.

SECTION 5: It is found and determined that all formal actions of City Council concerning and relating to the adaption of this Resolution were adopted in an open meeting of City Council, and that all deliberations of the City Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 6: This Resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

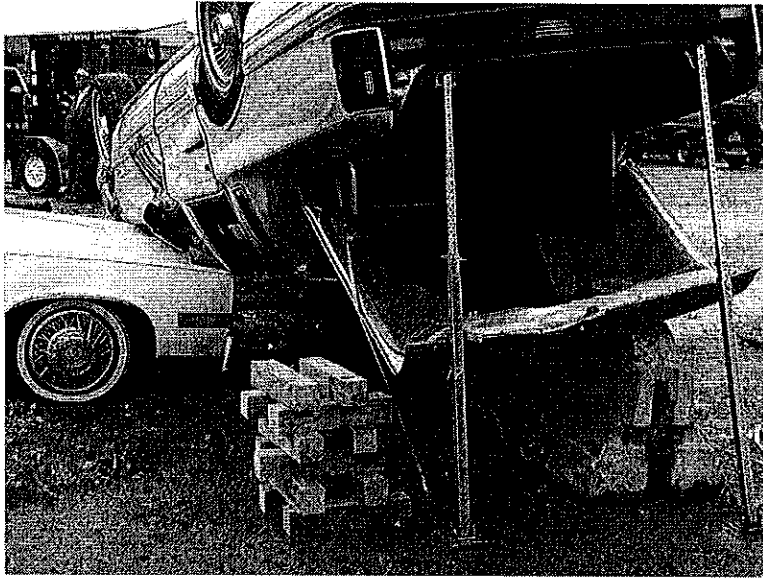
ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

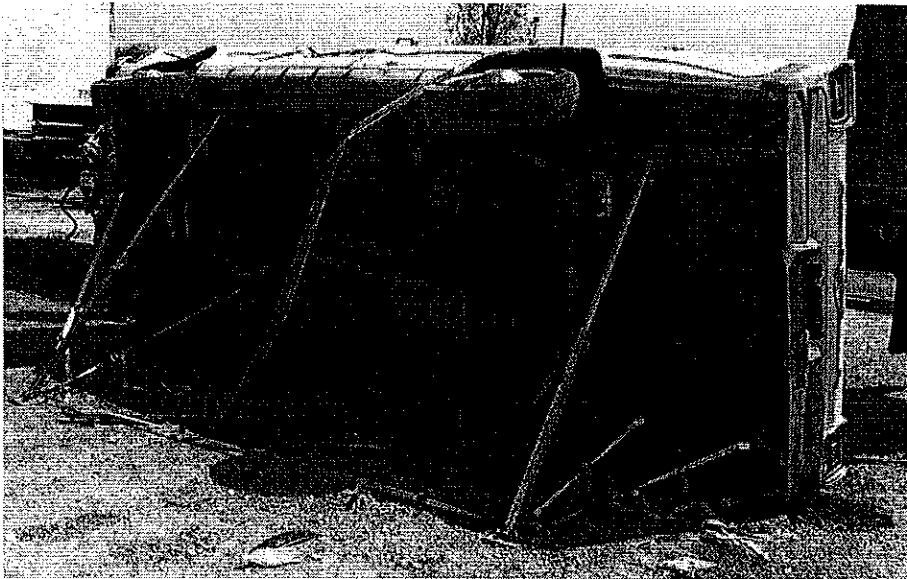
INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

Tandem *X-Struts*



Multiple Straps



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: July 7, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

June 30, 2009
Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, August 21, 2009, from 8:00 p.m. to 12:00 a.m. at Cook Field on Miami's Campus for an After Dark and, Campus Activities Council sponsored concert.

Recommendation:

Discussion: This request is for the After Dark and Campus Activities Council organization's 'Welcome Back Concert' at Cook Field on Miami's Campus.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 7/1/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, AUGUST 21, 2009, FROM 8:00 P.M. TO 12:00 A.M. AT COOK FIELD ON MIAMI'S CAMPUS FOR AN AFTER DARK, AND CAMPUS ACTIVITIES COUNCIL SPONSORED CONCERT.

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

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the After Dark and Campus Activities Council sponsored concert on Friday, August 21, 2009, from 8:00 P.M. to 12:00A.M. at Cook Field on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the After Dark and Campus Activities Council sponsored concert on Friday, August 21, 2009, from 8:00 P.M. to 12:00 A.M. at Cook Field on Miami's campus.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : 8/21/09

FROM: 8:00^{a.m.}_{p.m.} TO: 12:00^{a.m.}_{p.m.}

ACTIVITY/EVENT TO BE UNDERTAKEN:

welcome Back Concert - up and

LOCATION (attach copies of paperwork showing approval to use site): Cook Field (see attached

NUMBER OF PEOPLE EXPECTED TO ATTEND: 1500 page for more detail)

OPEN TO PUBLIC

☒ YES

NO

ALCOHOL AVAILABLE

YES

☒ NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Tri-tec - external sound company

SOUND MONITORING PLANS. (including person in charge of this process):

will contact neighboring residents about concert and periodic drive through the neighborhood to check sound

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: Afterdark

ADDRESS: 701 E. Spring St.

Is this a registered student organization at Miami University? yes

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: Jill Van Auker

ADDRESS: 701 E. Spring St. TEL. #: (513) 529-2266

What is the contact person's relation to the organization (title, etc.)?

Afterdark Advisor

ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF RELEVANCE.

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol free.

Applicant's signature Jill Van Auker Date: 8/18/09

The Welcome Back Concert:

Date: 8-21-2009

Location: Cook Field

As in years past we will be holding the Welcome Back Concert for incoming students the First Friday they are in town. This event is a popular alternative programming event that usually draws a crowd of somewhere between 1,500 and 2,000 students. This year's performer is Matt Nathanson, an acoustic performer who travels with a band. He is traveling with an opener, who is much less known.

To ensure that disruption to the Oxford community remains at a minimum, the stage will be built on the east side of Cook Field and will be pointed toward Bachelor Hall. The students organizing the event will have patrols taking place to monitor noise. We invite members of the community to stop in if they may be interested in the show.