



Agenda

Oxford City Council

Court House

TUESDAY, JULY 21, 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. Proclamation - 'Donna Heck Day'



Proclamation

B. Presentation - Share Fest - Carol Michael

C. Notice to Legislative Authority - Transfer Permit from Distinguish Inc DBA Alexander House 22 N College Ave and Patio Oxford, Ohio 45056 to Nara LLC DBA Alexander House 22 N. College Ave and Patio Oxford, Ohio 45056.



Staff Report

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 July 7, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the July 1, 2009 Historic and Architectural Preservation Commission meeting. (Jung-Han Chen, Community Development Director)



Report

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



Staff Report/Resolution



Contraband List

D. A Resolution authorizing the City Manager to enter into a Mutual Aid Agreement with the Ohio Department of Natural Resources (ODNR). (Steve Schwein, Police Chief)



Staff Report/Resolution

E. A Resolution declaring two (2) Advances Tasers and accessories no longer needed for Municipal purposes, to be surplus, and authorizing the transfer thereof to the Union County Sheriff's Department located at 106 E. Union Street, Liberty, IN. 47353-1438. (Steve Schwein, Police Chief)



Staff Report/Resolution

5. Resolutions

- A. Resolution of Council supporting the submission of a grant application for the Ohio Public Works Commission Issue 1 funds in the amount of \$400,000.00 to be used for the rehabilitation of High Street between Beech Street and College Avenue. (Mike Dreisbach, Service Director).



Staff Report/Resolution

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



Staff Report/Ordinance

- B. Second 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/Exhibits

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/Exhibits

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/Exhibits

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/Exhibits

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/Exhibits

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

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.)

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 Work Session 6:00 p.m.

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

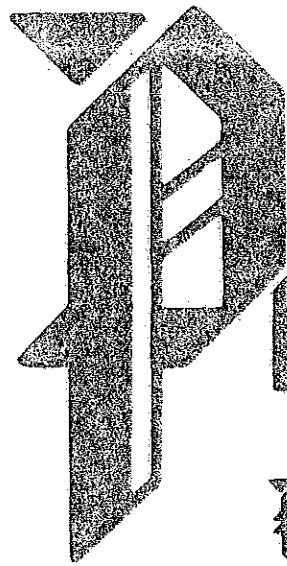
WED - Aug 19 Board of Zoning Appeals Meeting 7:30 p.m.

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

TUES - Aug 25 City Council Work Session (CIP) 7:00 p.m.

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

8. Adjourn



Office of the Mayor

Proclamation

Whereas:

Donna Heck has semi-retired on June 30, 2009 after sixteen (16) years of service to the City of Oxford; and

WHEREAS, Donna started her career with the City of Oxford Planning Department in March 1993 as the Secretary to the Assistant City Manager and Planning Director, and was appointed as Acting Planning Director in March 1994, and in August 1994 was promoted Secretary/Administrative Assistant to the City Manager as well as being appointed as Deputy Clerk of Council; and

WHEREAS, Donna in April 1997 was appointed Clerk of Council and in July 2000 was appointed Acting Human Resources Director and in July 2000 was promoted as Human Resources Director/Clerk of Council; and

WHEREAS, Donna has been ever vigilant with her files and a stickler for organization and with a memory of an elephant could lay her hands on or remember a document no matter how archaic; and

WHEREAS, Donna was instrumental in keeping the "Central Calendar" and pestering department heads to make sure it was always accurate; and

WHEREAS, Donna's favorite color is pink and one visit to her office and you are aware there seems to be pink just about everywhere - pink paper and pens, pink folders and tabs, pink post-its and hi-lighters; and to top it all off she has a pink chair and something we have never seen anywhere, a very pink feather Christmas tree; and

WHEREAS, Donna has worked diligently in making sure all City employees are treated fairly, and was instrumental in establishing benefit programs such as medical flexible savings accounts, prescription drug discount cards, and longevity benefits for all City employees; and

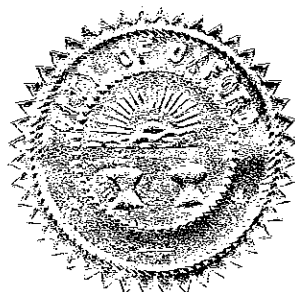
WHEREAS, Donna's love for the Safety Committee not only allowed her to bond with the work force, but also led to significant savings for Worker's Compensation insurance; and

WHEREAS, Donna has given her heart and soul to the city of Oxford and will be missed both professionally and as a friend.

NOW THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim Tuesday, July 21, 2009:

'DONNA J. HECK DAY'

in the City of Oxford and encourage all citizens and employees to wish Donna well and to let her know how much she has meant to the organization and how much she will be missed.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 17th day of July, 2009.

PRUDENCE Z. DANA, MAYOR

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: July 21, 2009

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

July 16, 2009
Date Prepared

Agenda Title: Legislative Authority Notice - Transfer from Distinguish Inc DBA Alexander House 22 N College Ave & Patio Oxford, Ohio 45056 to Nara LLC DBA Alexander House 22 N College Ave & Patio Oxford, Ohio 45056.

Recommendation:

Discussion: This is a transfer of a permit for the Alexander House.

The permit is for:

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

D2 - Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out.

D3 - Spirituous liquor for on premises consumption only until 1:00 a.m.

D3A - Extend issued permit privileges until 2:30 a.m.

This transfer will go through the normal process with all required inspections being conducted by the Ohio Liquor Commission. Chief Schwein has reviewed and will be in attendance to answer any questions.

Approved By:

Acting Department Head:
City Attorney:
Acting City Manager:

Initial Date
11/17/09 / 7/17/09
11/17/09 / 7/17/09

RECEIVED

NOTICE TO LEGISLATIVE
AUTHORITY

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

City of Oxford
TO

6307473		TRFO		NARA LLC	
PERMIT NUMBER		TYPE		DBA ALEXANDER HOUSE	
06	01	2009		22 N COLLEGE AV & PATIO	
ISSUE DATE				OXFORD OHIO 45056	
06	23	2009			
FILING DATE					
D1	D2	D3	D3A		
PERMIT CLASSES					
09	088	A	F01002		
TAX DISTRICT		RECEIPT NO.			

FROM 06/25/2009

2197763				DISTINGUISH INC	
PERMIT NUMBER		TYPE		DBA ALEXANDER HOUSE	
06	01	2009		22 N COLLEGE AV & PATIO	
ISSUE DATE				OXFORD OHIO 45056	
06	23	2009			
FILING DATE					
D1	D2	D3	D3A		
PERMIT CLASSES					
09	088				
TAX DISTRICT		RECEIPT NO.			



MAILED 06/25/2009

RESPONSES MUST BE POSTMARKED NO LATER THAN.

07/27/2009

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 6307473

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

FOR OFFICIAL USE ONLY

NEW TRANSFER

PERMIT # 6307473

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9905
 Telephone: (614) 644-2431 • <http://www.com.ohio.gov/liqr>

LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company	The Nara, LLC		DBA Name	Alexander House
Permit Premises Address	22 N. College Ave. & Patio		City/State	Oxford OH
Township, if in Unincorporated Area			Zip Code	45056
			Tax Identification No. (TIN)	30 - 0565209

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

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

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.
 EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCRI AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLG4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO	None	
2) President	None	
3) Vice-President	None	
4) Secretary	None	
5) Treasurer	None	

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.
 THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCRI AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLG4191.

1) Name	Joseph D. Kang	Social Security No. (if individual)		☒ Managing Member ☒ 5% or greater voting interest ☒ 5% or greater membership interest
Residence Address	3151 Roesch Blvd. #4	Tax Identification No. (if applicable)		
City and State	Fairfield OH	Zip Code	45014	
Telephone No.	513-252-6232	Date of Birth	4/10/81	
2) Name		Social Security No. (if individual)		☐ Managing Member ☐ 5% or greater voting interest ☐ 5% or greater membership interest
Residence Address		Tax Identification No. (if applicable)		
City and State		Zip Code		
Telephone No.		Date of Birth		

STATE OF OHIO

Butler

(PLEASE SEE REVERSE SIDE SHOULD I OR NEED ADDITIONAL SPACE)

COUNTY

Joseph D. Kang

being first duly sworn according to law, deposes and says that he/she is (1) the

Managing Mbr.

of the The Nara, LLC

foregoing affidavits are true

(Signature)

[Signature]

Joseph D. Kang, Managing Mbr.

Sworn to and subscribed in my presence this

18th day of JUNE

(Notary Public)

(Notary Expiration)

DLG 4032

ROEADA SERVICE PROVIDER

FOR TTY USERS DIAL 1-800-750-0730

REV. 6-08

JOANN HARMON
 Notary Public, State of Ohio
 My Commission Expires Feb. 6, 2011

09 BUTLER		088 OXFORD		POPULATION	22,210
CLASS	RATIO	PERMIT QUOTA	PERMITS ISSUED	PERMITS AVAILABLE	APPLICATIONS ON FILE
C1	1,000	23	17	6	0
C2	1,000	23	19	4	0
D1	2,000	12	12	0	2
D2	2,000	12	12	0	3
D3	2,000	12	11	1	3
D3A	0	0	8	6	0
D4	2,000	12	1	11	0
D5	2,000	12	12	0	5

Ohio Division of Liquor Control
July 6, 2009

D8 \$500 ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in sealed containers for carry out.
D2	\$564	<u>ORC 4303.14</u> Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out.
D2X	\$376	<u>ORC 4303.141</u> Beer only for on premises consumption or in sealed containers.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> Wine only for on premises consumption only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer and wine for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> Spirituous liquor for on premises consumption only, beer and wine for on premises, and off premises in original sealed containers, until 2:30 a.m. (restaurants meeting certain criteria)
D7	\$469	<u>ORC 4303.183</u> Beer and any intoxicating liquor by the glass or container for consumption on the premises only until 2:30am. (RESORT area ONLY).

Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Permit

A Regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, July 7, 2009 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie, Richard Keebler, Alysia Fischer and Greig Rutherford. Doug Ross arrived at 7:40 p.m.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Ms. Kathy Dale, Planner; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Fischer moved to adjourn to Executive Session at 7:00 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions and public officials. Mr. Bogard seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Fischer moved to return from Executive Session at 7:24 p.m. Mr. Bogard seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Dana called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Fischer moved to amend the agenda by inserting the name Mary Ann Eaton in item K. of the consent agenda. Mr. Bogard seconded. The motion passed 6-0-0.

Ms. Currie moved to approve the agenda as amended. Mr. Rutherford seconded the motion passed 6-0-0.

PUBLIC PARTICIPATION

RECOGNITION

BICENTENNIAL LOGO

Mayor Dana thanked Ms. Currie for her efforts over the last year in coordinating events for Oxford's Bicentennial in 2010. Mayor Dana advised the Bicentennial Logos would be unveiled this evening.

Ms. Currie noted as the process went forward two logos were designed to celebrate Oxford's Bicentennial and introduced Ms. Carole Katz who designed the formal logo and Miss. Molly Monson who designed the children's logo. Ms. Currie presented Carole and Molly with a tee shirt depicting their logos.

Mayor Dana read and presented Carole and Molly with a certificate of appreciation.

PRESENTATION

COUNCIL ON AGING

SOUTHWESTERN OHIO

Mr. Ken Wilson, Dr. Jane Straker and Ms. Diana Cox, of the Council on Aging of Southwestern Ohio summarized their annual report for Council as well as plans for the future. A brief question and answer period followed.

Mayor Dana and members of Council thanked the group for their efforts.

APPOINTMENTS TO

BOARDS AND COMMISSIONS

Mr. Bogard moved to reappoint Mr. George Prentice to the Board of Zoning Appeals for a term extended to 2012, Mr. Kevin McKeehan to the Finance Commission for a term extended to 2012 and Ms. Paige Wood to the McCullough-Hyde Hospital Board of Trustees for a term extended to 2014. Ms. Currie seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Mr. Rutherford requested removal of item B. Report. Ms. Fischer requested removal of item E. Resolution.

MINUTES

Minutes of the June 2, 2009 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

RESOLUTIONS

RESOLUTION

CONTRACTS WITH ODOT

A Resolution No. 4451 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)

RESOLUTION

**CONTRACT WITH
AMERITCON INC.**

A Resolution No. 4452 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)

RESOLUTION

**RETAIN UNCLAIMED
PROPERTY**

A Resolution No. 4453 authorizing the Oxford Police Division to retain for use by the municipality certain unclaimed property in its possession. (Steve Schwein, Police Chief)

RESOLUTION

**RETURN SEIZED
PROPERTY FOR DEPOSIT**

A Resolution No. 4454 authorizing the Oxford Police Division to return for deposit certain seized property in its possession. (Steve Schwein, Police Chief)

RESOLUTION

ACCEPT A GIFT

A Resolution No. 4455 to accept a gift of a set of 'X-Struts' from the Oxford Community Foundation. (John Detherage, Fire Chief)

RESOLUTION
NOISE ABATEMENT
REQUEST

A Resolution No. 4456 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)

RESOLUTION
NOISE ABATEMENT
REQUEST

A Resolution No. 4457 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)

RESOLUTION
APPOINTING THE CITY CLERK

A Resolution No. 4458 by the Oxford City Council appointing Mary Ann Eaton as Clerk of Council for the City of Oxford. (Doug Elliott, City Manager)

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

REPORT

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

Mr. Rutherford advised the Environmental Commission was studying residential conservation zoning and would make recommendations to the Planning Commission and Council in the very near future.

Mr. Keebler moved to accept the report regarding the June 24, 2009 Environmental Commission meeting. Mr. Rutherford seconded. The motion passed 7-0-0.

RESOLUTION
CONTRABAND DISPOSAL

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

Ms. Fischer referred to page 31 of the agenda and noted Exhibit "A" was not attached for the public's information. Ms. Fischer noted she would abstain on the vote based on the lack of information made public in the agenda. Ms. Fischer noted the contraband list was not added to the electronic version of the agenda until today.

Mr. Rutherford suggested the proposed Resolution be delayed until the next meeting.

Ms. Currie asked Chief Schwein if it would be detrimental to the Police Department if the proposed Resolution was delayed until the next meeting.

Chief Schwein advised it would not be a terrible set back if the proposed Resolution was delayed although he would like to see the property room cleared of the 'junk'. Chief Schwein also noted an opportunity to jointly destroy the contraband with another agency would be missed.

Mr. Elliott advised staff made the effort to contact property owners where possible. Mr. Elliott advised he and Mayor Dana made the decision not to include the list of contraband in the agenda in an effort to balance Council's desire to reduce copying and paper costs. Mr. Elliott noted staff intended to include the contraband list on the electronic version of the agenda when it was posted last week. Mr. Elliott noted members of the public had received paper copies of the agenda and no one asked to see the contraband list.

Mr. Keebler moved to adopt the Resolution. Mr. Bogard seconded. The motion failed by the following roll call:

AYE: Mr. Bogard, Mr. Keebler, Ms. Dana (3)

NAY: None (0)

ABS: Ms. Fischer, Mr. Ross, Mr. Rutherford, Ms. Currie (4)

RESOLUTIONS

RESOLUTION **'JAG' PROGRAM AWARD**

A Resolution No. 4459 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)

Chief Schwein discussed his staff report as presented on page 53 of the agenda noting the proposed grant required no matching funds. Chief Schwein advised Ms. Erica Bressler from the Butler County Sheriff's Office was in attendance to answer any questions.

Ms. Erica Bressler, Butler County Sheriff's Office, advised the City and Chief Schwein had been wonderful to work with on this project.

Mr. Bogard moved to adopt Resolution No. 4459. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

RESOLUTION
APPROPRIATE
REAL PROPERTY

A Resolution No. 4460 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)

Mayor Dana noted the next 5 Resolutions had to do with the intent to appropriate property and Ordinances would follow regarding each property.

Mr. McHugh explained the multi-step process as defined in the Ohio Revised Code. Mr. McHugh noted if there weren't sufficient votes to adopt the Resolutions tonight due to the exhibits not being part of the agenda, the corresponding Ordinances should be postponed.

Mr. Keebler noted the exhibits were simply the legal descriptions of the property and suggested Council moved to insert the descriptions into each Resolution and corresponding Ordinance.

Ms. Currie noted the proposed Resolutions contained the parcel numbers.

Ms. Fischer noted a map of the properties would have been very helpful.

Mr. Dreisbach advised he would hate to see the legislation delayed as the project would be delayed by a quarter of a year.

Mr. Elliott apologized for the attachments not being included in the agenda packet noting the intent was to reduce copying and paper costs.

Mr. Bogard encouraged Council to move forward with the proposed Resolutions.

Mr. Rutherford suggested Council schedule a Special Meeting to consider the proposed Resolutions with the appropriately attached documents as well as the proposed Resolution to dispose of contraband.

Ms. Fischer referred to page 61 of the agenda and inquired if the language in Section 2 'hereby attached and incorporated by reference as Exhibit "A" could be removed. Mr. McHugh advised against removing the language.

Mayor Dana noted she saw two possible solutions which were to insert the exhibits by amending the proposed Resolutions or by calling a Special Meeting. Mayor Dana advised she would like to move forward with the proposed Resolutions.

Ms. Fischer noted the situation reminded her of when a previous Council and City Manager adopted a Resolution without the attachment regarding an annexation agreement.

Mr. Keebler moved to add the legal descriptions to agenda items 5. B-F and 6. A.1-5. Mr. Bogard seconded. The motion passed by the following roll call:

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

NAY: Ms. Fischer, Mr. Rutherford (2)

ABS: None (0)

Mr. Dreisbach discussed his staff report as presented on page 60 of the agenda.

Mr. Rutherford noted his feeling a Special Meeting should take place to ensure the Resolutions were adopted properly.

Mr. Keebler moved to adopt Resolution No. 4460 as amended. Mr. Bogard seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Keebler, Mr. Ross, Ms. Dana (4)

NAY: None (0)

ABS: Mr. Rutherford, Ms. Currie, Ms. Fischer (3)

RESOLUTION
APPROPRIATE
REAL PROPERTY

A Resolution No. 4461 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 Director)

Mr. Bogard moved to adopt Resolution No. 4461 as amended. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Keebler, Mr. Ross, Ms. Dana (4)

NAY: None (0)

ABS: Mr. Rutherford, Ms. Currie, Ms. Fischer (3)

RESOLUTION
APPROPRIATE
REAL PROPERTY

A Resolution No. 4462 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, Service Director)

Mr. Bogard moved to adopt Resolution No. 4462 as amended. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Keebler, Mr. Ross, Ms. Dana (4)

NAY: None (0)

ABS: Ms. Currie, Ms. Fischer, Mr. Rutherford (3)

RESOLUTION
APPROPRIATE
REAL PROPERTY

A Resolution No. 4463 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)

Mr. Bogard moved to adopt Resolution No. 4463 as amended. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Bogard, Ms. Dana (4)

NAY: None (0)

ABS: Ms. Currie, Ms. Fischer, Mr. Rutherford (3)

RESOLUTION
APPROPRIATE
REAL PROPERTY

A Resolution No. 4464 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 Oxford College Corner Road and Todd Road for the widening of Oxford College Corner Road (U.S. 27). (Mike Dreisbach, Service Director)

Mr. Bogard moved to adopt Resolution No. 4464 as amended. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Bogard, Ms. Dana (4)

NAY: None (0)

ABS: Ms. Fischer, Mr. Rutherford, Ms. Currie (3)

ORDINANCES
FIRST READING

APPROPRIATE TO
PUBLIC USE

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)

Ms. Currie inquired if the emergency language was incorporated to keep the project on schedule with ODOT and Mr. Dreisbach advised yes.

**APPROPRIATE TO
PUBLIC USE**

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)

**APPROPRIATE TO
PUBLIC USE**

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)

**APPROPRIATE TO
PUBLIC USE**

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)

**APPROPRIATE TO
PUBLIC USE**

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
CODE UPDATE**

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

Ms. Eaton discussed her staff report as presented on page 78 of the agenda.

Mr. Bogard inquired if disks could be used in place of making paper copies of the code update for agencies who requested a copy. Mr. Elliott advised staff would have to check with the Codification company to see if their disks were copyrighted. Mr. Elliott referred to page 80 of the agenda noted the replacement pages were not included in the agenda packet as exhibit "A".

Mr. Elliott suggested placing a notice in the next agenda packet that stated a copy of Exhibit "A" was available at City Hall upon request.

Mr. Ross requested that the Code update replacement pages be given to Council members in their Friday Packet prior to the next meeting.

ORDINANCE
SUPPLEMENTAL
BUDGET

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

Mr. Newlin discussed his staff report as presented on page 81 of the agenda.

ORDINANCES
SECOND 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 recapped the staff report as presented on page 85 of the agenda noting the applicant was present to answer any questions.

Mr. Dave Simmons, Enterprise Rent-A-Car, advised he was looking forward to the move and noted his hope Council would approve the Conditional Use Permit request.

Mr. Keebler moved to adopt Ordinance No. 3060. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
ZONING CODE
AMENDMENT

An Ordinance No. 3061 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 recapped the staff report as presented on page 108 of the agenda noting the three areas of significant change which included the revocation of existing Conditional Use Permits, design requirements for fraternity houses and the definition of a fraternity/sorority house. Ms. Dale noted an ad-hoc committee worked on the proposed legislation and noted her hope Council would accept their recommendations.

Mr. Rutherford noted he was part of the ad-hoc committee and thanked them for their efforts. Mr. Rutherford advised his feeling Council should continue to look at conditional uses and critical issues involved with them.

Ms. Fischer noted the Student Community Relations Commission provided input with regard to the proposed legislation. Ms. Fischer noted students needed clear guidelines with respect to fraternity/sorority houses and what was expected so they could choose an appropriate property for that use.

Ms. Fischer referred to page 121 of the agenda section 1157.07(10) and noted concern that the definition could include more than the primary house for a fraternal organization.

Mr. McHugh suggested amending the first sentence to read - A building, *the site of a fraternal organization*.

Mr. Rutherford suggested amending the first sentence to read – A building *and property that is specifically designated as a fraternity/sorority house*.

Ms. Bobbe Burke, addressed the issue noting her feeling the proposed language was adequate.

Ms. Fischer moved to amend the end of the second sentence by adding ‘on that site’. Ms. Currie seconded. The motion passed 7-0-0.

Mr. Rutherford referred to page 112 of the agenda section (e)(3) and advised his feeling the Planning Commission should not need to provide an affirmative recommendation to revoke a conditional use permit as it tied Council’s hands. Mr. Rutherford referred to section (e)(3)A. and noted concern that the language was not clear enough. Mr. Rutherford referred to section (e)(3)B. and noted he felt this was redundant.

Mr. McHugh suggested leaving the language in (e)(3) as written to provide a two step process for the revocation of a conditional use permit. Mr. Keebler and Ms. Currie concurred.

Mr. Rutherford moved to amend section (e)(3)C. to read 'the continuance of the conditional use would pose a threat to the public health, safety and welfare. Mr. Keebler seconded.

Ms. Dale noted the language as presented referred to a violation of any City Codes and offered another option for the amendment.

Mr. McHugh suggested the amendment be made as follows – 'The continuance of the conditional use would pose a substantial risk to the public health, safety and welfare'.

Mr. Rutherford withdrew his motion and Mr. Keebler withdrew his second.

Mr. Rutherford moved to amend page 112 of the agenda section (e)(3)C. to read 'The continuance of the conditional use would pose a substantial risk to the public health, safety and welfare'. Mr. Keebler seconded. The motion passed 7-0-0.

Mr. Bogard moved to adopt Ordinance No. 3061 as amended. Mr. Keebler 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
ZONING CODE
AMENDMENT

An Ordinance No. 3062 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 referred to the staff report on page 126 of the agenda noting changes were not made to regulations as the proposed Ordinance strictly added cross references to the HAPC guidelines.

Mayor Dana noted having served on the HAPC the proposed legislation would be helpful and make applicants cognizant of regulations in historic districts.

Mr. Keebler moved to adopt Ordinance No. 3062. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

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 recapped the staff report as presented on page 135 of the agenda.

Mr. Kyger advised Council received a communication from the Chamber of Commerce pertaining to the proposed Ordinance and the next one on the agenda. Mr. Kyger noted the Chamber was concerned with any reduction to signage on fronts of buildings. Mr. Kyger advised Uptown merchants felt there was not a good source of advertising in the community without radio and T.V. stations and with the newspaper only published once per week.

Mr. Keebler noted his disappointment that the Chamber of Commerce did not take the time to address this issue with Council at the first reading of the proposed Ordinance. Mr. Keebler advised Council and the HAPC needed to hear from the Chamber of Commerce in a timely manner on these matters.

Mr. Keebler referred to page 143 of the agenda section 1151.06 (a) and noted he felt the proposed change to items (1) and (2) were appropriate. Mr. Keebler referred to item (6) and noted he would have been ok with 14 days.

Mr. Keebler advised he had walked High Street twice specifically looking at signage and felt there were some very bad looking store fronts. Mr. Keebler noted his feeling attempts to reduce the signage would not solve the problem and he would rather see the percentage of window obstruction stay at 50%.

Mr. Keebler moved to amend page 144 of the agenda section 1151.06 (f) to read 'Any land use in any zoning district may have window signs that obstruct no more than 50 percent of the glass within a structural frame of the wall in which it is located.' Ms. Currie seconded. The motion passed 6-1-0 with Ms. Dana voting nay.

Ms. Fischer noted she had concerns with proposed changes and with an existing regulation. Ms. Fischer referred to page 143 of the agenda section 1151.06 (a) (5) and noted until Council was willing to address sheet signs on residences she did not feel she could vote to limit what commercial businesses wanted to do. Ms. Fischer referred to page 144 of the agenda item 1151.06 (e) and noted she did not think Council could not limit political signs.

Mr. Rutherford referred to page 143 of the agenda item 1151.06 (a) (1) and (2) and noted he did see why temporary signs needed to match permanent signs in size. Mr. Rutherford advised the duration of time they were displayed needed to be enforced. Mr. Rutherford suggested amending item (5) to read 'Placed or positioned no more than 18 feet above grade.' Mr. Rutherford suggested item (6) be amended to 14 days to be an even number of weeks.

Mr. Rutherford moved to return section 1151.06 (a) (1) to 30 square feet. Ms. Fischer seconded. The motion passed 4-3-0 with Mr. Keebler, Mr. Bogard and Ms. Dana voting nay.

Mr. Rutherford moved to return section 1151.06 (a) (2) to 16 square feet. Ms. Fischer seconded. The motion passed 4-3-0 with Mr. Keebler, Mr. Bogard and Ms. Dana voting nay.

Mr. Rutherford moved to amend section 1151.06 (a) (5) to read 'Placed or positioned at or below the lowest residential window sill.' Ms. Fischer seconded. The motion passed 7-0-0.

Mr. Rutherford moved to amend section 1151.06 (a) (6) to read 'installed for no more than 14 calendar days. Ms. Fischer seconded. The motion passed 6-1-0 with Ms. Dana voting nay.

Ms. Fischer referred to page 144 of the agenda and noted she would like to strike section 1151.06 (e). Mr. Keebler advised this section was not under consideration this evening and any proposed changes needed to go through the Planning Commission. Mr. Rutherford suggested Council pass the Ordinance as amended and remand section 1151.06 (e) to the Planning Commission for review. Mr. Keebler noted his hope Council members who had concerns or suggestions as to what they wanted and why would present them to the Planning Commission. Mr. McHugh advised Council could not regulate political signs with regard to content or duration of display but there was a determination of size.

Mr. Ross noted his feeling the sign Ordinance did not apply to the City of Oxford, Miami University or the Talawanda School District. Mr. Ross noted Council should make every effort to make businesses feel welcome in the community. Mr. Ross advised he would not vote in favor of the proposed Ordinance.

Ms. Dale advised she had reservations regarding the amendment to section 1151.06 (a) (5). Ms. Dale noted 18' would have applied to all businesses including College Corner Pike and Locust Street. Ms. Dale noted not all businesses had residential space above them. Ms. Dale noted there was a new building uptown with a third story office. Ms. Dale advised her feeling 18' would keep signage uniform and allow it to be placed up to the second floor. Mr. Keebler suggested Council adopt the proposed Ordinance and revisit the issue if it became problematic.

Mr. Keebler moved to adopt Ordinance No. 3063 as amended. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

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

NAY: Ms. Fischer, Mr. Ross (2)

ABS: None (0)

ORDINANCE
NEW CHAPTER 25

An Ordinance No. 3064 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 the staff report as presented on page 152 of the agenda. Ms. Dale noted Council's amendments from the June 2, 2009 Council meeting were incorporated into the proposed language.

Mr. Keebler referred to item 4 on page 155 of the agenda and noted his feeling some important signs would be eliminated by adopting the proposed language. Mr. Keebler suggested several options for revising the language. Mr. Keebler noted he felt the rest of the language clarified what was already in place.

Mr. Bogard inquired if the existing signs would be grandfathered and Mr. Keebler advised yes.

Mr. Rutherford referred to item 4 on page 155 of the agenda and noted he felt it should be eliminated as it was covered in the sign ordinance and the HAPC did not regulate interior signage.

Ms. Fischer referred to item 5 on page 155 of the agenda and suggested striking 'Neon tubing is prohibited.' Ms. Fischer noted the use of neon tubing not the material itself seemed to be a problem.

Mr. Ross stated if Council adopted this language there should be 220 square foot signs placed at the entrances and exits on Routes 73, 27 and 732 that advised perspective businesses that Oxford did not want their efforts or investments in the City.

Mr. Bogard noted his feeling Council needed to partner with the business community and Boards and Commissions. Mr. Bogard advised he felt Council needed to reach out more to the various organizations before implementing restrictive regulations which could set the wrong tone.

Ms. Currie agreed with Mr. Bogard. Ms. Currie noted she had a lot of discomfort with some of the proposed language.

Mr. Rutherford cited Chapter 1331.04(c) (3) 'For the purpose of this section, the HAPC shall make determinations on the exterior features of a site or structure and shall not consider interior arrangements.'

Mr. Rutherford moved to strike the heading 'Interior' and item 4. and 12. on page 155 of the agenda as they were not allowed by law. Mr. Ross seconded. The motion passed 4-2-1 with Mr. Keebler and Ms. Dana voting nay and Mr. Bogard abstaining.

Ms. Fischer moved to strike 'Neon tubing is prohibited' from item 5. on page 155 of the agenda. Mr. Ross seconded. The motion passed 5-2-0 with Mr. Keebler and Ms. Dana voting nay.

Mr. Rutherford referred to item 9. on page 155 of the agenda and noted he felt it was intrusive to suggest that art work appeared on business cards, stationary, etc.

Mr. Rutherford moved to strike 'i.e. the art must appear on business cards, stationary, etc.' from item 9. on page 156 of the agenda. Mr. Keebler seconded. The motion passed 6-1-0 with Ms. Dana voting nay.

Mr. Rutherford moved to strike 'Such logos as beer and soda logos are prohibited.' from item 9. on page 156 of the agenda. Mr. Ross seconded. The motion failed 3-4-0 with Mr. Keebler, Mr. Bogard, Ms. Currie and Ms. Dana voting nay.

Mr. Ross moved to strike item 7 on page 155 of the agenda. Mr. Rutherford seconded. The motion passed 5-2-0 with Ms. Fischer and Ms. Dana voting nay.

Mr. Keebler called the question.

Mr. Keebler moved to adopt Ordinance No. 3064 as amended. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

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

NAY: Ms. Fischer, Mr. Ross (2)

ABS: None (0)

ANNOUNCEMENTS

Mayor Dana requested Council members to update their schedules on her calendar for July and August. Mayor Dana noted she would like to schedule a Work Session in August with the County Auditor to discuss the upcoming property reappraisals as there seemed to be a lot of confusion in the community.

Mayor Dana noted she would like to schedule a Joint Work Session in September with the Planning Commission regarding a rewrite of the Zoning Code.

Mr. Elliott advised a meeting with the Council Sub-Committee and Oxford Township Trustees was scheduled for July 13th to begin negotiating a new contract. Mr. Elliott noted meetings had taken place with staff and West Chester officials to discuss the County-Wide public safety radio system and possible sharing opportunities. Mr. Elliott advised a public meeting would be held July 7, 2009 from 7-9 p.m. at the Butler County Government Services building regarding Preliminary Floodplain Maps. Mr. Elliott thanked Mr. Newlin and Council for their efforts regarding the park improvement refunding bonds noting this would be a major cost savings for the City.

Ms. Dale advised the deadline for submitting nominations for the Historic Marker Program was August 1, 2009.

Mr. Kyger clarified issues related to the for sale sign on the Western Knolls property noting the matter went before the Board of Zoning Appeals for approval.

Mr. Ross advised his comments this evening had nothing to do with Mr. Chen or Ms. Dale and he respected them greatly. Mr. Ross encouraged business owners to contact Mr. Chen or Ms. Dale with any signage issues. Mr. Ross reminded everyone he felt the signage laws did not apply to Miami University, the Talawanda School District or the City of Oxford although it was good of Mr. Kyger to go to the Board of Zoning Appeals.

Mr. Rutherford thanked Mr. Newlin for his efforts with the bond refunding. Mr. Rutherford inquired if the sign Ordinance applied to the Community Arts Center site. Ms. Dale advised since it was state owned property the City had not required them to have reviews before the HAPC. Ms. Dale noted the Community Arts Center did consult staff before making changes to the building or site.

Mr. Bogard congratulated Ms. Brahier and her staff for coordinating the 4th of July events noting a lot of Northwest Butler County agencies participated in the parade. Mr. Bogard noted Council received notification from Time Warner Cable that their office hours on Locust Street would be reduced effective the week of July 13, 2009.

Ms. Fischer congratulated Ms. Eaton for being appointed Clerk of Council. Ms. Fischer noted concerns with overgrown shrubbery and impassable sidewalks which Mr. Elliott and Ms. Dale addressed. Ms. Fischer noted 4 Council seats would be available in November and only two people had pulled petitions from the Board of Elections. Ms. Fischer encouraged interested residents to contact members of Council for further information.

Ms. Currie advised the Bicentennial Event Planning Committee was meeting tomorrow evening at 5:30 p.m. at the Oxford Visitors and Convention Bureau.

Mayor Dana noted initiatives that were being brought to her attention by the public were deer control and plans for a new municipal pool. Mayor Dana advised both initiatives would require outside funding and encouraged interested parties to submit their ideas.

ADJOURNMENT

Mr. Bogard moved to adjourn at 10:53 p.m. Ms. Fischer seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: July 21, 2009

Kathryn A. Dale

Account Code No. #:

Prepared By

Budgeted Amount:

July 13, 2009

Date Prepared

Agenda Title: HAPC Meeting Report – July 1, 2009
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DISCUSSION:

Requests for Review:

HAPC-05-2009 11 W. High Street, LaBodega, repainting of front of building, Diana DiPaolo, Applicant

Staff shared that the Applicant was requesting a COA to repaint the front façade using the same storefront color scheme on the entire façade, but with a more muted tone. The Applicant at this time is not proposing to paint the eastern façade. Commission agreed to the purple (grape jelly) and green (teal zeal) tones chosen by the Applicant; however, the yellow chosen would be modified based on paint chips provided by Mr. Mike Smith. The building background will be creamy yellow and the upper story window trims and cornice boards will be painted green. The decorative frieze band will be painted with a muted green border and purple/lavender center.

Administrative Findings / Approvals:

1 W. High Street – retaining wall, patio material and railing modifications/selections; revised site plan removing the southern patio staircase.

20 W. High Street – Chase canopy roof repair.

Correspondence and Announcements:

Historic Marker Program Applications: To date no applications have been received; deadline is August 1, 2009.

Distribution of Revised Historic Walking Tour Brochure: New brochures were distributed to the Commission.

Old Business:

Updates On:

33 W. High - Green Door (color) – Mr. Smith following up with store tenant.

117 W. Church – pillar restoration – Mr. Smith working with owner on.

30 W. High - Quiznos (windows) – Window trim finished and new approved door installed.

20 W. High – Chase (windows installed) – Staff to follow-up about removing panels that were not approved. Chase Bank claims that the panels were approved. Staff is reviewing audio of meeting and supporting documentation with Chairman to see if there is was confusion over approvals.

Main Street Gourmet Deck (handrails) – The Commission inquired at the last meeting if the deck was ever approved. Staff provided information; HAPC-07-1990-deck revisions approved; HAPC-08-1995-deck extension approved.

Other Business:

Ms. Dale shared that a joint meeting would be scheduled before the end of the month/early August for the Open House in September.

Concerns were raised regarding the maintenance of the pillars at 200 W. Church.

Mr. Steve Friede attended the meeting and asked what he would have to do to repaint the former Alexander House, different from the current color. HAPC members suggested him getting in contact with Ms. Henderson or Ms. Peterka to come up with some color scheme options and then present them at the next HAPC meeting.

The next regular HAPC meeting is scheduled for August 5, 2009.

Approved By:

Department Head:

City Attorney:

Acting **City Manager:**

Initial Date

Kad 7/13/09

[Signature] 7/17/09

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 6/12/09

[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)

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

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 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 Elliott, Jr.

Police

Originating Department

Council Meeting Of: July 21, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

July 14, 2009

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into an Mutual Aid Agreement with the Ohio Department of Natural Resources.

Recommendation: Adopt the Resolution.

Discussion: OPD Officers are often times the first line of defense and back-up for Hueston Woods Rangers when problems erupt in the park. Because much of Hueston Woods lies in Preble County, Hueston Woods Rangers and ODNR do not belong to the Butler County Mutual Aid Pact and, therefore, OPD Officers responding to the aid of Rangers are not presently covered by a Mutual Aid Agreement in a large portion of the park. ODNR attorneys as well as the Law Director have approved the agreement and concur that the agreement protects the liability interests of both the City of Oxford, its Police Officers, the ODNR and the Hueston Woods Rangers.

Approved By:

Department Head:

City Attorney:

Acting City Manager:

Initial Date

SWS 7-15-09

[Signature] 7/17/09

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR).

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 the City enter into a Mutual Aid Agreement with the Ohio Department of Natural Resources (ODNR) to provide additional police services and to provide support in times of emergency.

SECTION 2: Council accepts the recommendation of the City Manager and Police Chief and hereby authorizes the City Manager to enter into a Mutual Aid Agreement with the Ohio Department of Natural Resources (ODNR) on behalf of the City with the right to cancel the agreement upon a thirty (30) day written notice of intent to terminate.

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)



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SHAN LOGAN, DIRECTOR

Mutual Aid Agreement

This Agreement made and entered into by and between the Ohio Department of Natural Resources, Division of Parks and Recreation and the Oxford (Ohio) Police Department.

Whereas, the Director of the Department of Natural Resources is authorized to enter into a mutual aid compact with the chief law enforcement officer of any federal agency, state agency, county, township, municipal corporation, or other political subdivision or with the superintendent of the state highway patrol to enable forest officers, park officers, and state watercraft officers and the law enforcement officers of the respective federal or state agencies or political subdivisions or the state highway patrol to assist each other in the provision of police services within each other's jurisdiction. (1501.02 R.C)

Whereas, the undersigned agencies which are parties to this Agreement are desirous of obtaining additional law enforcement protection for the citizens of the several political subdivisions during emergency situations by making the most efficient use possible of the law enforcement personnel and or equipment of the undersigned agencies.

Whereas, it is desirable that each of the parties hereto should voluntarily aid and assist each other in the event that an emergency situation should occur, by the interchange of law enforcement services.

Whereas, it is necessary and desirable that a Mutual Aid Agreement be executed for the interchange of such services.



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN LOGAN, DIRECTOR

Now, therefore, it is hereby agreed by and between each and all of the parties hereto as follows:

1. As used herein, the phrase "emergency situation" shall mean an actual or potential condition within the jurisdiction of one or more of the parties that poses an immediate threat to life or property and which exceeds the resources and capability of the jurisdiction to successfully bring the situation under control.
2. Each agency shall be responsible for its own costs in providing services hereunder, including, without limitation, the costs of salaries or wages, pension, health insurance and other benefit contributions, relief and workers' compensation for loaned personnel resulting from mutual assistance duty.
3. Each party is only committed to providing assistance to the extent that it does not endanger primary operations and may withdraw loaned personnel or equipment where circumstances require redeployment in their jurisdiction.
4. During an emergency situation, all personnel from responding agencies shall report to, and shall work under, the direction or supervision of the designated supervisor of the requesting agency, or the National Incident Management System Incident Command if established. Exceptions to this would be for specialized units (i.e. SWAT, Hostage Negotiators, Bomb Disposal, Canine). Members of those units will coordinate with the on scene supervisor of the requesting agency, provided, however, that at all times officers shall adhere to the policies and procedures of their own department and shall only be required to respond to lawful orders.
5. Personnel responding to a call for mutual aid outside of their appointed jurisdiction shall have those law enforcement powers provided by state law to "Peace Officers" as defined in Revised Code Sections 109.71 and 2935.01.
6. When taking law enforcement action, including uses of force, ODNR officers shall at all times adhere to ODNR policies and procedures, and utilize only those weapons and tactics with which they have trained and qualified.
7. In any emergency situation where the Mutual Aid Agreement has been invoked, radio communications should be established between all of the parties, where possible, through the use of the Multi Agency Radio Communications System (MARCS). If the Multi Agency Radio Communications System (MARCS) is not available to all parties involved, then any local communications system should be utilized.
8. If the agency asking for assistance under the Mutual Aid Agreement requests the use of a Canine unit, and the use of the canine results in seizures of assets, property or other



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN LOGAN, DIRECTOR

negotiable instruments that are subject to forfeiture under state or federal laws, the agency providing the Canine unit will be entitled to 10 % of the seizure.

9. Each party shall be responsible for maintaining and providing to each other party on a yearly basis, an accurate account of available resources including, but not limited to, available personnel, equipment, and specialized units.
10. Any party providing any specialized units agrees to have those specialized units trained and certified (if applicable) to any national, state, and local standards.
11. This Agreement shall become effective as to each party agency when approved and executed by that agency. The Agreement shall remain in effect as between each and every party until the party terminates participation in this Agreement. Any party to this Agreement may terminate participation in this Agreement upon thirty days written notice addressed to the designated law enforcement official of the other signatory agency that is party to this agreement.
12. The execution of this Agreement shall not give rise to any liability or responsibility for failure to respond to any request for assistance made pursuant to this Agreement.
13. Obligations of the State of Ohio are subject to the promises of the Ohio Revised Code Section 126.07

In witness whereof, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

Signature & Title	Department / Agency	Date
-------------------	---------------------	------

Signature & Title	Department / Agency	Date
-------------------	---------------------	------

Signature – Division Chief	Department / Agency	Date
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Signature – Department L.E. Administrator	Department / Agency	Date
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Signature – Department Director	Department / Agency	Date
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(REVISED 6-9-09)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police

Originating Department

Council Meeting Of: July 21, 2009

Account Code No. #: N/A

Steve Schwein

Prepared By

Budgeted Amount: N/A

July 14, 2009

Date Prepared

Agenda Title: A Resolution authorizing the Chief of Police to transfer two older model Tasers and any ancillary equipment associated with their use/operation to the Union County (Indiana) Sheriff's Department without charge.

Recommendation: Adopt the Resolution.

Discussion: The Union County (Indiana) Sheriff's Department has had a long standing excellent working relationship with OPD. Often times their criminal suspects end up in our jurisdiction and vice-versa. Many times these cooperative efforts take place during emergency situations such as interstate police pursuits of vehicles. The Sheriff has asked for assistance in equipping his Deputies with Tasers as their budgetary constraints will simply not allow for the purchase of new ones. OPD has two of the older model Tasers and a few darts which we retained for animal control use when we purchased the newer models. These units are not as suitable for use on animals as is the regular tranquilizer unit that we already have in our arsenal. It is the recommendation of the Police Department that we donate these tasers and related equipment to UCSO upon the Sheriff signing the release of liability statement prepared by the Law Director.

Approved By:

Department Head:

City Attorney:

Acting City Manager:

Initial Date

SDS 17/14/09

1122 7/17/09

RESOLUTION NO. _____

RESOLUTION DECLARING TWO (2) ADVANCED TASERS AND ACCESSORIES NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO BE SURPLUS, AND AUTHORIZING THE TRANSFER THEREOF TO THE UNION COUNTY SHERIFF'S DEPARTMENT LOCATED AT 106 E. UNION STREET, LIBERTY, IN 47353-1438.

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

SECTION 1: City Council hereby declares two (2) Advanced Tasers and accessories to be surplus and no longer needed for municipal purposes. Accordingly, the City Manager is authorized to donate said tasers and accessories to the Union County Sheriff's Department, located at 106 E. Union Street, Liberty, IN 47353-1438, without warranty or guarantee of any kind either expressed or implied.

SECTION 2: The City Manager is further authorized on receipt of the signed Indemnity Agreement to execute on behalf of the City any documents necessary to affect the transfer of the two (2) Advanced Tasers and accessories from the City of Oxford's Police Department to the Union County Sheriff's Department.

SECTION 3: 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)

INDEMNITY AGREEMENT

WHEREAS, Council for the City of Oxford, Ohio (hereinafter "Oxford") has declared two (2) Advanced Tasers and accessories no longer needed for municipal purposes and to be surplus; and

WHEREAS, Oxford's Police Department wishes to donate two (2) Advanced Tasers and accessories to Union County Sheriff's Department located at 106 E. Union Street, Liberty, Indiana 47353-1438; and

WHEREAS, Union County Sheriff's Department wishes to accept Oxford Police Department's donation of two (2) Advanced Tasers and accessories; and

WHEREAS, Oxford's City Council authorized the transfer of the two (2) Advanced Tasers and accessories to the Union County Sheriff's Department; and

WHEREAS, the use of the two (2) Advanced Tasers and accessories may expose employees of the Union County Sheriff's Department and the citizens of Union County, Indiana to hazards and conditions causing injury or damage.

THEREFORE IN CONSIDERATION OF OXFORD POLICE DEPARTMENT'S DONATION OF TWO (2) ADVANCED TASERS AND ACCESSORIES IT IS AGREED THAT:

1. The Union County Sheriff's Department shall indemnify, defend, and hold harmless the City of Oxford, its employees and assigns from and against any and all claims, costs, losses, expenses, demands, actions or causes of action including reasonable attorneys' fees and other costs and expenses of litigation, which may be asserted against or incurred by the City of Oxford for any property loss or damage and any personal injury as a result of any malfunction on the Advanced Tasers and accessories.
2. This encompasses the complete Indemnity Agreement between the parties and there are no other representations or conditions not included herein.
3. This Indemnity Agreement shall not be modified except in writing executed by all of the parties hereto.
4. The Union County Sheriff's Department agrees that this is a valid and enforceable Indemnity Agreement.
5. All claims or issues arising out of this agreement shall be subject to the laws of the State of Ohio and shall be addressed in a court of competent jurisdiction in Butler County, State of Ohio.

6. The Union County Sheriff's Department agrees to waive any defense of estoppel.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first written below.

Witness:

**UNION COUNTY SHERIFF'S
DEPARTMENT**

By: _____

Printed Name: _____

Title: _____

Witness:

CITY OF OXFORD, OHIO

Douglas R. Elliott, Jr., City Manager

STATE OF INDIANA)
) ss.
COUNTY OF UNION)

The foregoing instrument was acknowledged before me this ____ day of _____, 2009, by _____, as _____ of the Union County Sheriff's Department, on behalf of the said sheriff's department.

Notary Public

STATE OF OHIO)
) ss.
COUNTY OF BUTLER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2009, by Douglas R. Elliott, Jr., as City Manager of the City of Oxford, Ohio, on behalf of the said municipal corporation.

Notary Public

THIS INSTRUMENT WAS PREPARED BY:
Stephen M. McHugh, Esq.
ALTICK & CORWIN CO., L.P.A.
1700 One Dayton Centre
One South Main Street
Dayton, OH 45402
(937) 223-1201

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: July 21, 2009

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

July 13, 2009
Date Prepared

Agenda Title: High Street Roadway Improvements (Beech St. to College Ave.) – Application for Ohio Public Works Commission Issue 1 Funds.

Recommendation: Approve

Discussion: The City of Oxford, in conjunction with the Ohio Department of Transportation, has recently completed the rehabilitation of High Street brick roadway between Main Street and Beech Street. The rehabilitation consisted of the removal of the existing roadway, correcting all subgrade deficiencies, installation of a 6" aggregate base, 10" concrete base, 1" sand blanket, and relaying the original brick pavers.

Ohio Public Works Commission - Issue 1 funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue 1 funds to be used for the rehabilitation of another block of High Street, between Beech Street and College Avenue. The City is eligible to receive approximately \$400,000 from the Commission. The City would be required to provide approximately \$120,000 as the local match to completely fund the project. While this amount is currently not in the City's Capital Improvement Plan, staff has identified potential funding in the 2009 operating budget (\$100,000 from High / Patterson intersection improvements and \$20,000 from our existing street maintenance and repair budget) that could be used for this project.

It is Staff's recommendation that Council authorize the City Manager to apply for Ohio Public Works Commission - Issue 1 funds that are available to the City of Oxford.

Approved By:

Department Head:

Initial Date
MBD \ 7/13/09

~~Acting~~ City Manager:

MBD \ 7/17/09

RESOLUTION NO.

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$400,000.00 TO BE USED FOR THE REHABILITATION OF HIGH STREET BETWEEN BEECH STREET AND COLLEGE AVENUE.

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

SECTION 1: Council having determined the rehabilitation of High Street between Beech Street and College Avenue to be beneficial to the City; Council hereby supports the use of grant funds to assist with the cost of the rehabilitation of High Street between Beech Street and College Avenue.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the rehabilitation of High Street between Beech Street and College Avenue.

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)

APPLICATION FOR FINANCIAL ASSISTANCE

Revised 4/99

IMPORTANT: Please consult the "Instructions for Completing the Project Application" for assistance in completion of this form.

SUBDIVISION: City of Oxford **CODE #** 017-59234

DISTRICT NUMBER: 10 **COUNTY:** Butler **DATE** 7/6/09

CONTACT: Scott Otto **PHONE #** (513) 524-5208

(THE PROJECT CONTACT PERSON SHOULD BE THE INDIVIDUAL WHO WILL BE AVAILABLE DURING BUSINESS HOURS AND WHO CAN BEST ANSWER OR COORDINATE THE RESPONSE TO QUESTIONS)

FAX: (513) 524-5267 **E-MAIL:** sotto@cityofoxford.org

PROJECT NAME: High Street Improvements

SUBDIVISION TYPE

(Check Only 1)

- ☐ 1. County
☒ 2. City
☐ 3. Township
☐ 4. Village
☐ 5. Water/Sanitary District
(Section 6119 or 6117 O.R.C.)

FUNDING TYPE REQUESTED

(Check All Requested & Enter Amount)

- ☒ 1. Grant \$ 400,000
☐ 2. Loan \$ _____
☐ 3. Loan Assistance \$ _____

PROJECT TYPE

(Check Largest Component)

- ☒ 1. Road
☐ 2. Bridge/Culvert
☐ 3. Water Supply
☐ 4. Wastewater
☐ 5. Solid Waste
☐ 6. Stormwater

TOTAL PROJECT COST: \$ 518,925 **FUNDING REQUESTED:** \$ 400,000

DISTRICT RECOMMENDATION

To be completed by the District Committee ONLY

GRANT: \$ _____

LOAN ASSISTANCE: \$ _____

SCIP LOAN: \$ _____ **RATE:** _____ % **TERM:** _____ yrs.

RLP LOAN: \$ _____ **RATE:** _____ % **TERM:** _____ yrs.

(Check Only 1)

- ☐ State Capital Improvement Program ☐ Small Government Program
☐ Local Transportation Improvements Program

FOR OPWC USE ONLY

PROJECT NUMBER: C _____ / C _____
Participation _____ %
OPWC Participation _____ %
Project Release Date: _____
OPWC Approval: _____

APPROVED FUNDING: \$ _____ **Local**
Loan Interest Rate: _____ %
Loan Term: _____ years
Maturity Date: _____
Date Approved: _____
SCIP Loan _____ **RLP Loan** _____

1.0 PROJECT FINANCIAL INFORMATION

1.1 PROJECT ESTIMATED COSTS:

(Round to Nearest Dollar)

TOTAL DOLLARS

- a.) Basic Engineering Services: \$ _____
- Preliminary Design \$
 Final Design \$
 Bidding \$
 Construction Phase \$
- Additional Engineering Services \$ _____
- *Identify services and costs below.
- b.) Acquisition Expenses:
 Land and/or Right of Way \$ _____
- c.) Construction Costs: \$ 469,478
- d.) Equipment Purchased Directly: \$ _____
- e.) Permits, Advertising, Legal: \$ 2,500
 (Or Interest Costs for Loan Assistance
 Applications Only)
- f.) Construction Contingencies: \$ 46,947
- g.) **TOTAL ESTIMATED COSTS:** \$ 518,925

*List Additional Engineering Services here:

Service:

Cost:

1.2 PROJECT FINANCIAL RESOURCES:

(Round to Nearest Dollar and Percent)

	DOLLARS	%
a.) Local In-Kind Contributions	\$ _____	
b.) Local Revenues	\$ <u>118,925</u>	
c.) Other Public Revenues		
ODOT	\$ _____ .00	
Rural Development	\$ _____ .00	
OEPA	\$ _____ .00	
OWDA	\$ _____ .00	
CDBG	\$ _____ .00	
OTHER _____	\$ _____ .00	
SUBTOTAL LOCAL RESOURCES:	\$ <u>118,925</u>	23%
d.) OPWC Funds		
1. Grant	\$ <u>400,000</u>	
2. Loan	\$ _____ .00	
3. Loan Assistance	\$ _____ .00	
SUBTOTAL OPWC FUNDS:	\$ <u>400,000</u>	77%
e.) TOTAL FINANCIAL RESOURCES:	\$ <u>518,925</u>	100%

1.3 AVAILABILITY OF LOCAL FUNDS:

Attach a statement signed by the Chief Financial Officer listed in section 5.2 certifying all local share funds required for the project will be available on or before the earliest date listed in the Project Schedule section.

ODOT PID# _____ Sale Date: _____

STATUS: (Check one)

☒ Traditional

Local Planning Agency (LPA)

State Infrastructure Bank

2.0 PROJECT INFORMATION

If the project is multi-jurisdictional, information must be consolidated in this section.

2.1 PROJECT NAME: High Street Improvements

2.2 BRIEF PROJECT DESCRIPTION - (Sections A through C):

A: SPECIFIC LOCATION:

High Street between Beech Street and College Avenue
Oxford, OH

PROJECT ZIP CODE: 45056

B: PROJECT COMPONENTS:

Remove and salvage existing roadway brick surface on High Street from Beech Street to College Avenue. Place a new compacted 6" aggregate base, shallow pipe underdrains, and construct a new 10" concrete base. Reset the brick roadway surface. Place all necessary traffic control devices.

C: PHYSICAL DIMENSIONS :

The dimensions are one city block, including two intersections; approximately 450'x60'.

D: DESIGN SERVICE CAPACITY:

Current:

Proposed:

Road or Bridge: Current ADT 7,990 Year: 2006 Projected ADT: 10,200 Year: 2026

Water/Wastewater: Based on monthly usage of 7,756 gallons per household, attach current rate ordinance. Current Residential Rate\$ Proposed Rate: \$

Stormwater: Number of households served:

2.3 USEFUL LIFE/COST ESTIMATE: Project Useful Life: 25 Years.

Attach Registered Professional Engineer's statement, with original seal and signature confirming the project's useful life indicated above and estimated cost.

3.0 REPAIR/REPLACEMENT or NEW/EXPANSION:

TOTAL PORTION OF PROJECT REPAIR/REPLACEMENT	\$ 518,925
TOTAL PORTION OF PROJECT NEW/EXPANSION	\$.00

4.0 PROJECT SCHEDULE:*

	BEGIN DATE	END DATE
4.1 Engineering/Design:	<u>1 / 1 / 09</u>	<u>8 / 1 / 09</u>
4.2 Bid Advertisement and Award:	<u>1 / 1 / 10</u>	<u>3 / 31 / 10</u>
4.3 Construction:	<u>6 / 1 / 10</u>	<u>8 / 1 / 10</u>
4.4 Right-of-Way/Land Acquisition:	<u>n/a</u>	<u>n/a</u>

* Failure to meet project schedule may result in termination of agreement for approved projects. Modification of dates must be requested in writing by the CEO of record and approved by the commission once the Project Agreement has been executed. The project schedule should be planned around receiving a Project Agreement on or about July 1st.

5.0 PROJECT OFFICIALS:

5.1	CHIEF EXECUTIVE OFFICER	<u>Douglas R. Elliott Jr.</u>
	TITLE	<u>City Manager</u>
	STREET	<u>101 E. High St.</u>
	CITY/ZIP	<u>Oxford, OH 45056</u>
	PHONE	<u>(513) 524-5201</u>
	FAX	<u>(513) 523-7298</u>
	E-MAIL	<u>delliott@cityofoxford.org</u>
5.2	CHIEF FINANCIAL OFFICER	<u>Joseph Newlin</u>
	TITLE	<u>Finance Director</u>
	STREET	<u>101 E. High St.</u>
	CITY/ZIP	<u>Oxford, OH 45056</u>
	PHONE	<u>(513) 524-5221</u>
	FAX	<u>(513) 523-7298</u>
	E-MAIL	<u>jnewlin@cityofoxford.org</u>
5.3	PROJECT MANAGER	<u>Victor Popescu</u>
	TITLE	<u>City Engineer</u>
	STREET	<u>101 E. High Street</u>
	CITY/ZIP	<u>Oxford, OH 45056</u>
	PHONE	<u>(513) 524-5208</u>
	E-MAIL	<u>vpopescu@cityofoxford.org</u>

Changes in Project Officials must be submitted in writing from the CEO.

6.0 ATTACHMENTS/COMPLETENESS REVIEW:

Confirm in the blocks [] below that each item listed is attached.

- [] A certified copy of the legislation by the governing body of the applicant authorizing a designated official to sign and submit this application and execute contracts. This individual should sign under 7.0, Applicant Certification, below.
- [] A certification signed by the applicant's chief financial officer stating all local share funds required for the project will be available on or before the dates listed in the Project Schedule section. If the application involves a request for loan (RLP or SCIP), a certification signed by the CFO which identifies a specific revenue source for repaying the loan also must be attached. Both certifications can be accomplished in the same letter.
- [] A registered professional engineer's detailed cost estimate and useful life statement, as required in 164-1-13, 164-1-14, and 164-1-16 of the Ohio Administrative Code. Estimates shall contain an engineer's original seal or stamp and signature.
- [] A cooperation agreement (if the project involves more than one subdivision or district) which identifies the fiscal and administrative responsibilities of each participant.
- [] Projects which include new and expansion components and potentially affect productive farmland should include a statement evaluating the potential impact. If there is a potential impact, the Governor's Executive Order 98-VII and the OPWC Farmland Preservation Review Advisory apply.
- [] Capital Improvements Report: (Required by O.R.C. Chapter 164.06 on standard form)
- [] Supporting Documentation: Materials such as additional project description, photographs, economic impact (temporary and/or full time jobs likely to be created as a result of the project), accident reports, impact on school zones, and other information to assist your district committee in ranking your project. Be sure to include supplements which may be required by your *local* District Public Works Integrating Committee.

7.0 APPLICANT CERTIFICATION:

The undersigned certifies: (1) he/she is legally authorized to request and accept financial assistance from the Ohio Public Works Commission as identified in the attached legislation; (2) to the best of his/her knowledge and belief, all representations that are part of this application are true and correct; (3) all official documents and commitments of the applicant that are part of this application have been duly authorized by the governing body of the applicant and, (4) should the requested financial assistance be provided, that in the execution of this project, the applicant will comply with all assurances required by Ohio Law, including those involving Buy Ohio and prevailing wages.

Applicant certifies that physical construction on the project as defined in the application has NOT begun, and will not begin until a Project Agreement for this project has been executed with the Ohio Public Works Commission. Action to the contrary will result in termination of the agreement and withdrawal of Ohio Public Works Commission funding from the project.

Certifying Representative (Type or Print Name and Title)

_____/_____
Original Signature/Date Signed

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 7/21/09

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

7/10/09
Date Prepared

Agenda Title: 2009 SUPPLEMENTAL BUDGET #7

Recommendation: Approve

Discussion:

Supplements to the 2009 Budget

General Fund

Operating Supplies 1,691.00

Increase in revenue

Represents registration fees collected by the recreation department for the First Tee Golf Program which in turn is forwarded to the United Way. This was not a budgeted item but has no net effect on the budget.

General Fund

Personnel Benefits (Various) 79,632.00

Parking Fund

Personnel Benefits 4,080.00

Street Fund

Personnel Benefits 11,580.00

Water Fund

Personnel Benefits (Various) 16,824.00

Sewer Fund

Personnel Benefits (Various) 21,624.00

Refuse Fund

Personnel Benefits (Various) 1,860.00

Fund Balance

As of June 30, 2009, we have spent \$882,690.42 on medical expenses while only recouping \$746,362.75. The net effect is our fund balance has decreased by \$136,327.67. The City has experienced some rather large claims through the first six months of the year. The next effect of this adjustment is \$135,600.00. This will shore up the fund balance helping preserve an approximate \$500,000 balance. The City will keep monitoring this fund closely for the balance of the year. Note: In the budgeting process for 2009 the City kept its contribution level per employee at \$850 per month.

Employee Benefit Fund

Various

135,600.00

Increased Revenue

The above increases in appropriation will in turn support the increased expenditures for medical expenses in the Employee Benefit Fund.

Approved By:

Department Head:
Acting City Manager:

Initial Date

W 7/1/0
W 7/7/09

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 7 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:

GENERAL FUND 110	1,691.00
------------------	----------

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

GENERAL FUND 110	1,691.00
GENERAL FUND 110	79,632.00
PARKING FUND 130	4,080.00
STREET FUND 122	11,580.00
WATER FUND 321	16,824.00
SEWER FUND 331	21,624.00
REFUSE FUND 341	1,860.00

SECTION 4: The following increase/(decrease)in estimated revenues be made:

EMPLOYEE BENEFIT FUND 230	135,600.00
---------------------------	------------

SECTION 5: The following increase/(decrease)in appropriations from unencumbered balances be made:

EMPLOYEE BENEFIT FUND 230	135,600.00
---------------------------	------------

SECTION 6: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

Additional 200 Per employee per month for 6 months for 113 Employees

Total Per Fund Per Month with Increase	Total Per Fund through June	Impact per Fund Per Month	Impact per Fund This Year
General Fund 69,678.00	56,406.00	13,272.00	79,632.00
Parking Fund 3,570.00	2,890.00	680.00	4,080.00
Street Fund 10,132.50	8202.5	1,930.00	11,580.00
Water Fund 14,721.00	11917	2,804.00	16,824.00
Sewer Fund 18,921.00	15317	3,604.00	21,624.00
Refuse Fund 1,627.50	1317.5	310.00	1,860.00
		Total Increase	135,600.00

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

MBS 7/1/09

[Signature] 7.1.09
C

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. 4460 passed July 7, 2009, 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, are located on the west side of College Corner Road and south of Ringwood Road, Oxford Ohio 45056, and 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 value of said appropriated real property, including any residual damages, has been appraised at \$300.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. 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:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

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**PARCEL 117-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 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.

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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.

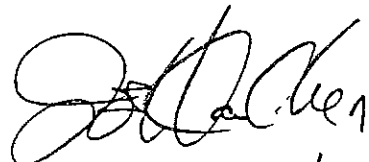


Dan Stankavich, P.S. 7122



Nov 12, 2007
Date

APPROVED

 8/27/08
Jerry Hanchen

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

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. 4461 passed July 7, 2009, 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, are located at and near 5495 Oxford College Corner Road, Oxford, Ohio 45056, and 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 value of said appropriated real property, including any residual damages, has been appraised at \$11,835.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. 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:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

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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;

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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.

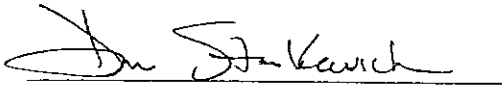
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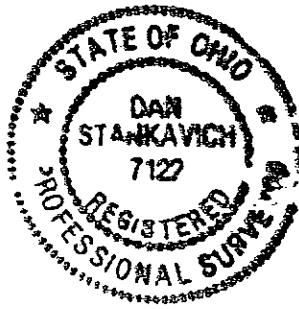
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All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

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

111WD.txt

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

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**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

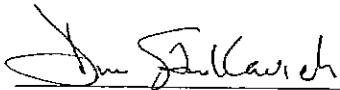
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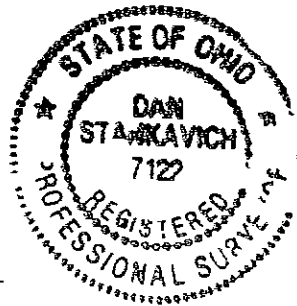
Thence, South 46 degrees 26 minutes 41 seconds East along the existing southwesterly right of way line of U.S. 27 a distance of 40.23 feet to the **TRUE POINT OF BEGINNING** containing 0.1100 acres more or less.

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

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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.

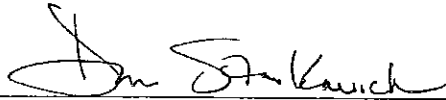
The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

EXHIBIT A

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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

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. 4462 passed July 7, 2009, 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, are located at 5735 Oxford College Corner Road, Oxford, Ohio 45056, and 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 value of said appropriated real property, including any residual damages, has been appraised at \$7,931.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. 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:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

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CTY-RTE-SEC
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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

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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**.

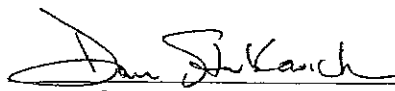
The above described area is contained in Auditor Parcel Number H4100028000013 (City Lot 1947).

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.

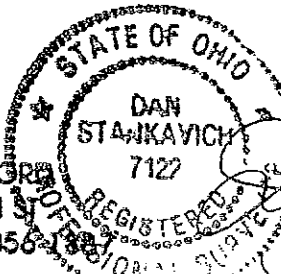
All rebars set are to 5/8" diameter by 30" long rebars with I.D. Cap "URS Corp." and to be set after acquisition and before construction of the project designated BUT-27-18.55 per the plans on file with the Oxford City Engineer.

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.

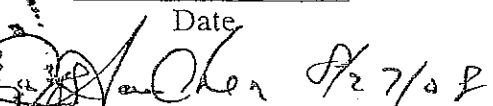

Dan Stankavich, P.S. 7122

APPROVED

CITY OF OXFORD
101 E. HIGH ST.
OXFORD, OH 45056-1381



Nov 12, 2007
Date


Dan Stankavich

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

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**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;

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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

ORDINANCE NO.

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.

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. 4463 passed July 7, 2009, 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: The lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, are located at and near 5500 Oxford College Corner Road, Oxford, Ohio 45056, and include 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 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 value of said appropriated real property, including any residual damages, has been appraised at \$32,230.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. 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:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

PID
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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;

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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.**

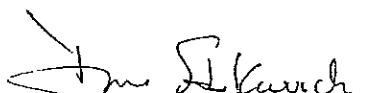
Of the above described area, 0.4974 acres of land, of which 0.4012 acres are present road occupied, are contained in Auditor Parcel Number H4100028000001, and 0.0531 acres of land, of which 0.0406 acres are present road occupied, are contained in Auditor Parcel Number H4100028000008.

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


Jerry 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

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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;

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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 of Dan Stankavich in black ink, 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

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. 4464 passed July 7, 2009, 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, are located on the northwest corner of Oxford College Corner Road and Todd Road, Oxford, Ohio 45056, and 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 value of said appropriated real property, including any residual damages, has been appraised at \$ 7,870.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. 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:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

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7/14/2009

**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**

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

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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.

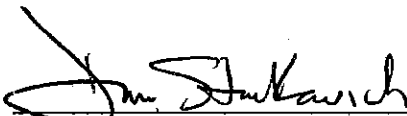
The above described area is contained in Auditor Parcel Number H3610016000002.

Grantor claims title by instrument(s) recorded in Book 7983, Page 1303 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 July 14, 2009, 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



July 14, 2009
Date

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

PID
PARCEL
CTY-REC-SEC
Version Date

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118-1
BU T-27-18.55
08 Jun 07

**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.

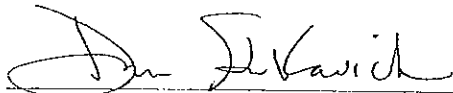
The bearings used in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

EXHIBIT A

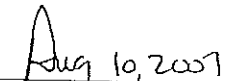
PID
PARCEL
CITY-RT-SEC
Version Date

Page 2 of 2
77009
118-T
BUT-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

118T.txt

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

Account Code No. #: N/A

Prepared By

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.

** Copies of the replacement pages (Exhibit "A")
are available at City Hall during normal
business hours **

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DKC / 7/1/09

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

)
)