



## Agenda

Oxford City Council

Court House

**TUESDAY, AUGUST 5, 2014**

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### EXECUTIVE SESSION

**7:00 P.M.**

1. Roll Call.

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**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.

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### REGULAR MEETING

**7:30 P.M.**

### PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

|                                                                                                                                                                                                                                                                   |
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| <p><b>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.</b></p> |
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3. Public Participation.

A. Proclamation - 'Phi Delta Theta Week'



Proclamation

B. Notice to Legislative Authority - Transfer from Smokin Ox LLC DBA The Smokin Ox 12 E. Park Place 1st Floor and basement Oxford, Ohio 45056 to First Round Draft Inc. DBA The Smokin Ox 12 E. Park Place 1st Floor and basement Oxford, Ohio 45056.



Notice

C. Appointments to Boards and Commissions.

D. Presentation - Update of 2008 Comprehensive Plan - Jung-Han Chen.

E. Public Comments.

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

4. Consent Agenda.

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



Minutes

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



Report

C. Report regarding the July 8, 2014 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. Report regarding the July 15, 2014 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

E. Report regarding the July 16, 2014 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

F. A Resolution authorizing the City Manager to enter into a contract with John Deere Company for the purchase of a 2014 model 4044R compact utility tractor and specified

options at state contract pricing at a cost not to exceed \$22,713.22 which includes a discount of \$3,000.00 for trading-in the existing 1976 John Deere tractor. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to sign an estoppel certificate with regard to the Development Agreement between the City of Oxford and 4-Leaf Development, LLC. (Doug Elliott, City Manager)



Staff Report/Resolution

2. A Resolution authorizing the City Manager to enter into a contract with Jim True Ford, Inc. for the purchase of a 2015 Ford F-150 truck and specified options at state contract pricing at a cost not to exceed \$24,490.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

3. A Resolution authorizing the City Manager to accept the contract secured by the Butler County Engineer's Office and authorizing the City Manager to enter into an agreement with Cargill, Inc. for the purchase of road de-icing materials for an amount not to exceed \$130,000.00. (Mike Dreisbach, Service Director)



Staff Report/Resolution

4. A Resolution authorizing the City Manager to extend the current contract with Re/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road for a twelve (12) month period ending July 15, 2015. (Alan Kyger, Economic Development Director).



Staff Report/Resolution

5. A Resolution authorizing the assessment of delinquent charges for the removal or destruction of noxious vegetation to be placed on the Butler County, Ohio property tax duplicate. (Jung-Han Chen, Community Development Director)



Staff Report/Resolution

6. A Resolution authorizing the City Manager to enter into a contract with JK Custom Homes, LLC for the expansion and remodeling of the City of Oxford's Fire Station at a cost of \$387,000.00 plus a contingency amount of ten percent (10%) of the contract price or \$38,700.00 for a total cost not to exceed \$425,700.00. (Mike Dreisbach, Service Director).



Staff Report/Resolution

6. Ordinances.

- A. First Reading - None.
- B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 1143.10 Entitled Uptown District, And Adopting New Oxford Codified Ordinance Section 1143.10 Entitled Uptown District. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

2. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately 33.55 Acres Of Land Located Along U.S. 27 North, North And West Of The Intersection Of Todd Road And Ringwood Road, Including The Right-Of-Way Of Ringwood Road And The Northern Half Of U.S. 27 And The Western Half Of Todd Road, Adjacent To Parcel H3610016000002 In Oxford, Ohio, And Rezoning The Property From Butler County Zoning Classification To General Business (GB) District. (Jung-Han Chen, Community Development Department).



Staff Report/Ordinance

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



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

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

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

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

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

WED - Aug 13 City Council Retreat 6:00 p.m. Hueston Woods Lodge

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

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

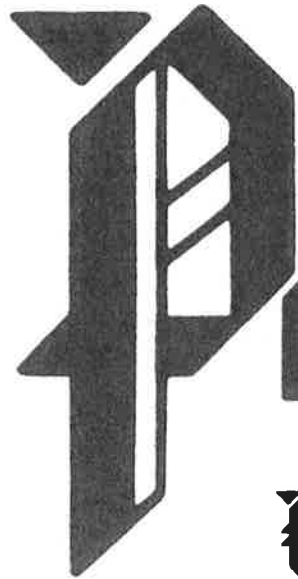
WED - Aug 20 Board of Zoning Appeals Meeting 7:30 p.m.

THUR- Aug 21 City Council CIP Work Session 7:00 p.m.

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

WED - Aug 27 Civil Service Commission Meeting 6:00 p.m.

8. Adjourn.



Office of the Mayor

# Proclamation

**Whereas:**

the Phi Delta Theta Fraternity was founded on December 26, 1848, at Miami University in Oxford, Ohio, and has grown into a prosperous, international organization in its 166 year existence; and

WHEREAS, the fraternity was founded upon the noble precepts of friendship, sound learning and rectitude; and

WHEREAS, there are 178 chapters and 11 colonies of Phi Delta Theta in 42 states and 5 Canadian provinces; and

WHEREAS, there have been over 245,000 members initiated into Phi Delta Theta; and

WHEREAS, the Fraternity holds its annual Kleberg Emerging Leaders Institute in Oxford, Ohio, to promote the ideas of scholarship, service to others, leadership, personal development, and fraternal values and ethics to its diverse membership.

NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford, Ohio, do hereby proclaim the week of August 3rd through August 10th, 2014 to be:

**'PHI DELTA THETA WEEK'**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 1st day of August, 2014.

  
Kevin D. McKeegan, Mayor



# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council  
**Originating Department**

**Council Meeting Of:** August 5, 2014

Mary Ann Eaton

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

July 15, 2014

**Date Prepared**

**Agenda Title:** Legislative Authority Notice - Transfer from Smokin Ox LLC DBA The Smokin Ox 12 E. Park Pl 1<sup>st</sup> floor and basement Oxford, Ohio to First Round Draft Inc. DBA The Smokin Ox 12 E. Park Pl 1<sup>st</sup> floor and basement Oxford, Ohio 45056.

**Recommendation:** N/A

**Discussion:**

The permit is for:

- D1 Beer only for on premises consumption or in sealed containers for carry out.
- D2 Wine and mixed beverages 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.
- D6 Sale of intoxicating liquor on Sunday between the hours of 10:00 a.m. or 11:00 a.m. and midnight.

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

**Approved By:**

**Initial Date**

**Department Head:**

**City Manager:**

 8/1/14

NOTICE TO LEGISLATIVE  
AUTHORITY

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

TO

|              |     |             |                                                                                                                               |        |     |    |
|--------------|-----|-------------|-------------------------------------------------------------------------------------------------------------------------------|--------|-----|----|
| 27394760005  |     | TRFO        | <b>FIRST ROUND DRAFT INC</b><br><b>DBA THE SMOKIN OX</b><br><b>12 E PARK PL 1ST FL &amp; BSMT</b><br><b>OXFORD OHIO 45056</b> |        |     |    |
| 06           | 01  | 2014        |                                                                                                                               |        |     |    |
| 07           |     | 02          |                                                                                                                               | 2014   |     |    |
| D1           |     | D2          |                                                                                                                               | D3     | D3A | D6 |
| 09           | 088 | A           |                                                                                                                               | F12255 |     |    |
| TAX DISTRICT |     | RECEIPT NO. |                                                                                                                               |        |     |    |

**RECEIVED**  
JUL 09 2014  
City of Oxford

FROM 07/07/2014

|              |     |             |                                                                                                                       |      |     |    |
|--------------|-----|-------------|-----------------------------------------------------------------------------------------------------------------------|------|-----|----|
| 8322426      |     |             | <b>SMOKIN OX LLC</b><br><b>DBA THE SMOKIN OX</b><br><b>12 E PARK PL 1ST FL &amp; BSMT</b><br><b>OXFORD OHIO 45056</b> |      |     |    |
| 06           | 01  | 2014        |                                                                                                                       |      |     |    |
| 07           |     | 02          |                                                                                                                       | 2014 |     |    |
| D1           |     | D2          |                                                                                                                       | D3   | D3A | D6 |
| 09           | 088 |             |                                                                                                                       |      |     |    |
| TAX DISTRICT |     | RECEIPT NO. |                                                                                                                       |      |     |    |



MAILED 07/07/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/07/2014

**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 2739476-0005**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

PERMIT NUMBER (CORPORATION) 27394760005  
FIRST ROUND DRAFT INC  
DBA THE SMOKIN OX  
12 E PARK PL 1ST FL & BSMT  
OXFORD OHIO 45056

F.T.I. NUMBER 45-2910346  
STATUS (ACTIVE OR INACTIVE) ACTIVE  
SHARES OUTSTANDING 100.00  
ACTIVE DATE 07/02/14  
INACTIVE DATE  
EXCEPTION CODE TEXT  
STOCK TRANSFER CODE TEXT AND DATE  
' THEODORE WOOD

100.00 07/02/14 ACTIVE CEO

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, July 1, 2014 at 7:00 p.m. Those members present were Bob Blackburn, Richard Keebler, Mike Smith and Edna Southard. Kate Rousmaniere and Steve Snyder were excused.

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

### **ADJOURN TO EXECUTIVE SESSION**

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (1) and (2) for the purpose of discussing appointments to Boards and Commissions and property acquisition. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Keebler, Mr. Smith, Ms. Southard, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

### **RETURN FROM EXECUTIVE SESSION**

Ms. Southard moved to return from Executive Session at 7:30 p.m. Mr. Blackburn seconded. The motion passed 5-0-0.

### **PLEDGE OF ALLEGIANCE**

Mayor McKeehan requested the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Mr. Smith moved to approve the agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

### **PUBLIC PARTICIPATION**

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Mr. Keebler moved to appoint Catherine Lok and Brian Jong to the Community Relations Commission for terms expiring in 2016. Mr. Smith seconded. The motion passed 5-0-0.

## **PUBLIC COMMENTS**

There were no public comments.

## **CONSENT AGENDA**

## **MINUTES**

Minutes of the June 17, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

## **REPORTS**

Report regarding the June 10, 2014 Planning Commission Meeting. (Jung-Han Chen, Community Development Director.

Mr. Keebler moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

## **RESOLUTIONS**

### **RESOLUTION**

#### **PUBLIC SAFETY IMPROVEMENT**

A Resolution No. 4839 authorizing the installation of striped bicycle lanes on Spring Street from Patterson Avenue to Beech Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised construction was moving forward on Spring Street and Patterson Avenue where a lot of curb gutter and sidewalks were being constructed as well as foundations for new traffic control devices. Mr. Dreisbach noted the City's paving contractor would be ready to begin work there in the next 3-4 weeks and staff was looking for resolution on how to stripe and sign Spring Street from Patterson Avenue to Beech Street or College Avenue. Mr. Dreisbach advised it was pretty clear that there would be dedicated bike lanes from Patterson Avenue to Campus Avenue through Miami's campus area. Mr. Dreisbach noted the recommendation tonight differed from what was previously recommended in trying to find consensus among all parties. Mr. Dreisbach advised staff was recommending dedicated bike lanes to Beech Street and the removal of some parking. Mr. Dreisbach noted between Beech Street and College Avenue the road was not wide enough to support parking and bike lanes and part of that block would have to be sharrowed.

Mr. Keebler inquired if the bike lane at the Patterson Avenue and Spring Street intersection would end prior to the turn lane and Mr. Dreisbach advised yes.

**Mr. Vincent Hand**, 511 E. Chestnut Street, read the following into the record: ‘Good evening mayor, city councilors and staff. My name is Vincent Hand, and I have lived at 511 East Chestnut Street for 30 years. (I speak in support of dedicated bike lanes on Spring Street.)

To honor your request, and the many hours of public service that you already give to the community, we will try to reduce redundant public comment on this issue. However, many people are here tonight to show they support dedicated bike lanes on Spring Street.

At the last Council meeting, I asked you to honor the dedication, hard work and planning of so many people over the last several years; and to honor the request of more than 400 people who put their names on a petition. Thank you for doing so. All of us appreciate that you have listened and are considering authorizing dedicated bike lanes on both sides of Spring Street. We are grateful for the opportunity to once again urge you to *approve* those dedicated bike lanes.

Dedicated bike lanes on Spring Street will improve safety for drivers and pedestrians, as well as for bicyclists. There is no need to repeat detailed justification. You already have copious information from Dave Prytherch and the Planning Commission, from Councilor Rousmaniere, from City and University staff and consultants, and from many other sources.

In implementing bike lanes, we ask that staff continue to work with Miami University and with experts to maintain continuity and consistency with the lanes already planned for Spring Street between Patterson and Campus Avenues.

We look forward to working with you to carry on timely implementation of the Bicycle and Pedestrian Improvement Safety Plan. We expect this will include prompt provisions for bicycles on Spring Street west of Beech Street. This will facilitate connection with important destinations like grocery shopping, the new Lane library, and the new apartments near the corner of Spring and Locust. Steady implementation of that carefully crafted improvement plan will encourage use and build confidence. We request that you provide a rough time line for the next steps.

By approving these dedicated bike lanes on Spring Street, you will have begun an important and useful change for our city, one that will be welcomed by a wide cross-section of people. We appreciate that you have listened to our requests and made changes.

Please approve dedicated bike lanes on Spring Street, and please continue the momentum toward further implementation of the Safety Improvement Plan.

Thank you.’

Mr. Keebler advised he intended to vote yes on the City Manager’s recommendation for bike lanes on Spring Street but not without some reservations. Mr. Keebler noted he had nothing against bike lanes as long as they served a need, received widespread use, the street width allowed their placement without impeding the flow of motor vehicle traffic and the amount of use justified the removal of parking and the affect on adjacent residents and property owners. Mr. Keebler advised he was not convinced that was the case. Mr. Keebler noted he felt the connection through to Beech Street was good, better than Main Street, because it provided connection to the Uptown on a street less busy than Main Street and not as much grade as Main Street. Mr. Keebler advised it would help make a corridor to the northwest part of town.

Mr. Keebler noted people would like to see the lanes go past College Avenue and Locust Street and connect to Fairfield Road but the pavement width did not provide enough space for bike lanes without seriously affecting traffic flow and would require the purchase of right-of-way and construction costs which were beyond the City's reach at this time. Mr. Keebler advised those who said 'take the parking, it's a public street' obviously did not live in the affected areas or lived close enough to a side street that they would not be affected by losing parking in front of their homes. Mr. Keebler noted many long time residents on Fairfield Road would be affected by the installation of bike lanes and the elimination of parking. Mr. Keebler advised he questioned whether bike lanes had a lot of effect on how many people rode bikes and noted he spent 3 days in Charleston, S.C. last week and there were hundreds of bicyclists and almost no bike lanes anywhere. Mr. Keebler advised Miami students had never biked in large numbers and he doubted the number of bicyclists would increase because bike lanes were installed on Spring Street. Mr. Keebler noted he wanted feedback once the bike lanes were installed and asked the City Manager to arrange bicyclist counts within the next year when school was in session and the weather was conducive for bike riding to see the number of bikes using the bike lanes on a daily basis. Mr. Keebler advised this information would be valuable as Council was encouraged to provide bike lanes in other parts of the City.

Mr. Blackburn noted it was hard to retrofit an old town to accommodate bike lanes and in a perfect world the City would have a million dollars to buy the property necessary to widen the road and give property owners some relief from losing the on street parking. Mr. Blackburn advised the alleys should also be resurfaced for those 4 blocks. Mr. Blackburn agreed with Mr. Keebler with regard to performing bicycle counts. Mr. Blackburn advised he was in Oxford when bike lanes were installed before and they were not used. Mr. Blackburn noted the lost parking would affect 13 property owners and 6 of them wrote letters to the City Manager opposing the installation of bike lanes. Mr. Blackburn noted he wished the City had the money to widen the streets to make bike lanes work.

Ms. Southard noted she felt this was a good resolution and arguments had been made in favor of bike lanes on both sides of Spring Street. Ms. Southard advised the parking situation would change with the former high school site becoming a parking area. Ms. Southard noted this was a good move going into the 21<sup>st</sup> century and improving the quality of life for Oxford residents and visitors.

Mr. Smith advised he felt this was the best resolution Council could come up with given the street width and the consequences that came with that. Mr. Smith noted some of the rental properties might become more marketable to students who rode bicycles and wanted to live near the bike path.

Mr. Keebler moved to adopt Resolution No. 4839. Mr. Smith seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Smith, Ms. Southard, Mr. Blackburn, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

**RESOLUTION**  
**PUBLIC SAFETY IMPROVEMENT**

A Resolution authorizing the installation of stop signs at the intersection of Spring and Maple Streets. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised once a month City officials met with Miami University Physical Facilities officials to discuss joint operations, projects and issues at hand. Mr. Dreisbach noted for quite some time there's been concern about the intersection of Maple and Spring Streets and the same concern existed 10 years ago at Oak and Spring Streets when additional stop signs were installed for pedestrian safety at that intersection. Mr. Dreisbach advised Miami University officials greatly desired a 3 way stop at Maple and Spring Streets and with all of the reconstruction in the area now would be the time to install the stop signs. Mr. Dreisbach noted Miami University requested a substantial grant from the Department of Transportation and if awarded there would be huge changes on the south side of Shriver and the 3 way stop would be absolutely necessary. Mr. Dreisbach advised Miami paid their traffic consultant to redesign the difficult intersection of SR 73, Patterson Avenue and Spring Street and as part of the improvements along Spring Street they were requesting a 3 way stop at Maple and Spring Streets. Mr. Dreisbach noted the traffic consultant would like to see the benefit of stopping the east/west traffic on Spring Street to give pedestrians a known place to cross. Mr. Dreisbach advised the traffic consultant felt the 3 way stop would reduce jay walking and pedestrians impeding traffic. Mr. Dreisbach noted staff concurred with the recommendation and the City Engineer felt the 3 way stop was prudent and necessary.

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

Ms. Southard noted she felt this was a good idea and Council should approve it.

Mr. Keebler advised he was adamantly opposed to installing anymore stop signs on Spring Street or any other Oxford thoroughfare noting 4 and 3 way stops all too often impeded traffic on the thoroughfare in favor of side streets or pedestrians. Mr. Keebler advised stop signs were often misused by municipalities in conflict with warrants under the governing traffic standards and he had seen nothing presented in Miami's report that made him think anything different. Mr. Keebler referred to the traffic analysis on pages 22-28 of the agenda and noted he wasn't a traffic engineer but he was a good observer and problem solver and no where in the report had he seen where there was a problem with the current intersection. Mr. Keebler advised even without stop signs on Spring Street students seemed to move freely and traffic regularly gave way to pedestrians during the high usage periods. Mr. Keebler inquired where the data was to back-up this recommendation and inquired if there had been a lot of accidents at the intersection. Mr. Keebler inquired if the intersection met the warrants for stop signs or if a Miami University Planner told the engineering firm they would like to have a 3 way stop at Maple and Spring to make it easier for students to cross. Mr. Keebler noted reading the complete report by the engineer pretty much backed up his last sentence because they made the comment several times that they were recommending something in line with the university's plan. Mr. Keebler advised recommendations by City staff appeared to be a deferral to the engineer hired by the university. Mr. Keebler noted the only way to steer students to corner crossings was to install fences mid-block because they were going to go the shortest way, they've done that for years and they're going to keep doing it.

Mr. Keebler noted as to more students coming that way from western campus, they should cross Patterson at the north crosswalk at Spring so they only have to cross one street to get to the Armstrong Center. Mr. Keebler advised some comments in the report were interesting and referred to page 21 of the agenda 'Signalized control of Patterson Avenue/Spring Street and Patterson Avenue/Oxford-Trenton Road as a single intersection, with the provision of an all-pedestrian phase, will function acceptably.' (not function well or not function better). Mr. Keebler referred to page 25 of the agenda 'Note that the impact of bus operations and dwelling in front of Shriver Hall was not included in the traffic analysis' and advised he felt that was a lot of what was going on here. Mr. Keebler referred to page 28 of the agenda 'The conversion of the Spring/Maple intersection to all-way stop control is not a traffic volume or capacity-based recommendation. Rather, it is driven by pedestrian safety' and noted there was nothing presented to show its been a traffic problem regarding pedestrians. Mr. Keebler referred to page 28 of the agenda 'One objective of the Campus Circulation Master Plan is to consolidate pedestrian crossings' and again stated that students would cross where they wanted to. Mr. Keebler referred to page 28 of the agenda 'Conversion of the Spring/Maple intersection to all-way stop control is not a capacity or congestion driven recommendation. It is based on improving pedestrian safety by better organizing and controlling driver and pedestrian behaviors. If traffic operations with the conversion to an all-way stop are considered a potential concern, peak hour traffic operations could be evaluated to assess performance and vehicular level of service, based on vehicular and pedestrian volumes collected when classes are in session' and noted the consultant just said Miami's master plan calls for this and we agree. Mr. Keebler noted as he traveled through the intersection he didn't see a problem but if a 3 way stop was installed he saw major problems occurring because students continually stepped off the curb in front of waiting traffic not giving traffic a change to move and Spring Street at Campus Avenue was the same way. Mr. Keebler advised if Council thought the intersection of Spring and Maple was a pedestrian safety hazard then a traffic actuated light with pedestrian crossings should be installed which would provide equal opportunity for vehicles and pedestrians without unnecessarily impeding traffic flow especially when there was little or no traffic around and drivers had to stop. Mr. Keebler noted the City installed a 3 way stop at Campus Avenue and Chestnut Street a number of years ago to make it easier for Campus Avenue traffic to exit onto Chestnut Street and more often than not traffic was backed up a block or more in each direction and not a single car was waiting on Campus Avenue to get out. Mr. Keebler advised that was what happened when stop signs were installed that did not meet the traffic warrants. Mr. Keebler advised he would vote no on the proposed Resolution and encouraged other Councilors to do the same.

Mr. Smith agreed with Mr. Keebler and noted Spring Street was the major EMS route to Miami's campus and having cars backed up in each direction would make it very difficult for emergency vehicles to get through. Mr. Smith advised he was not in favor of the proposed Resolution.

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

AYE: Ms. Southard (1)

NAY: Mr. Smith, Mr. Blackburn, Mr. Keebler, Mayor McKeehan (4)

ABS: None (0)

**RESOLUTION**  
**PERFORMANCE**  
**BOND RELEASE**

A Resolution No. 4840 authorizing the release of performance bonds recorded in volume 8105, page 2171 and volume 8175, page 2315 of the lien records of the Butler County, Ohio, Recorder's Office for Long Meadow Subdivision, Section 5. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised Muskopf, Inc. (Developer) had 3 property bonds posted with the City to guarantee the completion of public improvements in Long Meadow Subdivision. Mr. Dreisbach noted the developer had a buyer for one of the lots that was bonded and asked the City to release the lien so that he may sell the lot. Mr. Dreisbach advised Mr. Muskopf agreed to complete the sidewalk system in all sections of Long Meadow Subdivision in return for the City releasing the property bonds. Mr. Dreisbach noted typically he would not ask Council for permission to release a bond until the work was complete but in this case time was of the essence for the sale of the lot to come to fruition. Mr. Dreisbach advised staff had worked with this developer for many years and had no reason to believe the work would not be completed satisfactorily. Mr. Dreisbach noted Mr. Muskopf would deposit a check with the City to guarantee street trees would be planted once the sidewalk system was complete.

Mr. Keebler inquired what the cost of the construction contract was and Mr. Dreisbach advised just under \$30,000.00.

**Mr. David Prytherch**, 6195 Contreras Road, commended the City for finding a way to solve a problem that all of the residents in this subdivision knew was a long standing one. Mr. Prytherch noted for many who lived in other subdivisions with unsold lots and incomplete sidewalks this was a fantastic way to solve that problem. Mr. Prytherch advised the Planning Commission altered the Subdivision Ordinance to avoid this problem in the future.

Mayor McKeehan noted he was glad to see an amicable resolution to help all parties although he understood the reluctance to install sidewalks prior to a home being built because of damage to the concrete during construction.

Mr. Smith moved to adopt Resolution No. 4840. Mr. Blackburn seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Southard, Mr. Blackburn, Mr. Keebler, Mr. Smith, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

**ORDINANCES**  
**FIRST READING**

**ORDINANCE**  
**NEW SECTION 1143.10**

An Ordinance Repealing Oxford Codified Ordinance Section 1143.10 Entitled Uptown District, And Adopting New Oxford Codified Ordinance Section 1143.10 Entitled Uptown District.  
(Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance was an amendment to the Uptown sidewalk provisions and the intent was to remove the 5 foot encroachment limitation as shown on page 38 of the agenda. Mr. Chen noted the City of Oxford would also be an additional insured on the merchants liability policy. Mr. Chen advised the Planning Commission had a lengthy discussion and recommended the remaining sidewalk shall be open and unobstructed. Mr. Chen noted the amendment would provide merchants the opportunity to utilize the public sidewalk to create an enjoyable environment for residents and businesses. Mr. Chen advised Alan Kyger, Economic Development Director, made this suggestion and he had a PowerPoint presentation to show the rationale behind the suggestion.

Mr. Kyger advised he submitted a Zoning Code Text Amendment to amend 1143.10 Uptown District, by removing the sidewalk provision that 'The use may not extend more than five feet into the right of way'. Mr. Kyger noted a portion of the land use section of the Comprehensive Plan states that we should continue to support retail activity on sidewalks, especially outdoor seating for restaurants, and advised the zoning code hindered that. Mr. Kyger showed slides of various Uptown establishments that utilized the sidewalks and advised the amendment would fix Uptown so what was currently in operation and worked was allowed to work. Mr. Kyger noted the amendment would not change ADA compliance or Fire compliance regulations. Mr. Kyger showed slides of other communities and noted vibrant sidewalks were key to a vibrant Uptown/Downtown District.

Mayor McKeehan inquired if there was anything to preclude merchants from using the right-of-way from the curb inward and Mr. Kyger advised no, citing Starbucks as an example. Mr. Keebler noted access to parking meters needed to be watched.

Ms. Southard noted she felt the amendment was a great idea.

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

**ORDINANCE**  
**ZONING MAP AMENDMENT**

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately 33.55 Acres Of Land Located Along U.S. 27 North, North And West Of The Intersection Of Todd Road And Ringwood Road, Including The Right-Of-Way Of Ringwood Road And The Northern Half Of U.S. 27 And The Western Half Of Todd Road, Adjacent To Parcel H3610016000002 In Oxford, Ohio, And Rezoning The Property From Butler County Zoning Classification To General Business (GB) District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the last step of the annexation process was to change the zoning classification for the 33.5 acres of land from township zoning to the City's zoning classification. Mr. Chen noted Council adopted the annexation petition on May 6, 2014 and it went before the Planning Commission to amend the zoning map to GB for property generally known as Gillman Home Centers and Koenig Equipment.

Mr. Keebler advised if this was not rezoned GB everything in that area would be non-conforming except for the vacant lot.

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

**ORDINANCE**  
**CODE UPDATE**

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

Ms. Eaton advised this was the annual Code update which included Ordinances Council adopted through May 20, 2014 and updates to the state traffic and general offense codes.

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

**ANNOUNCEMENTS**

Mayor McKeehan advised three Council members would be out of town for the July 15<sup>th</sup> meeting and inquired if anyone had objections to cancelling the meeting. There were none. Mayor McKeehan announced that the July 15<sup>th</sup> Council Meeting was cancelled.

Mr. Elliott advised the plans and specifications for the Fire Station addition were complete and the bid opening was set for July 25, 2014. Mr. Elliott noted the plans included an additional 2,100 square feet of space for sleeping, eating and storage as well as new restroom and shower facilities.

Mr. Elliott advised the City contracted with the Regional Income Tax Agency (RITA) who administers the income tax of 208 Ohio municipalities. Mr. Elliott noted the service had proven to be very effective and efficient in the collection of the City's income tax.

Mr. Elliott advised in 2013 RITA collected \$8,300,000 with an administrative cost of \$111,021 which represented 1.34% of the City's collection total. Mr. Elliott noted staff was very pleased with RITA's service.

Mr. Elliott advised the Clerk would place a notice in the newspaper regarding the July 15<sup>th</sup> meeting cancellation and noted it would also be posted on the City's website.

Mr. Kyger noted all of the City's July 3<sup>rd</sup> events would take place at the Oxford Community Park. Mr. Kyger advised Darrtown was celebrating its Bicentennial this Saturday and Sunday and a lot of activities were planned for the event.

Mr. Keebler noted the passing of Steve Husemann who served as the Assistant City Manager in Oxford in the late 70's and was very good and well liked. Mr. Keebler advised Mr. Husemann went on to serve in Tipp City, Kettering and Middletown. Mr. Keebler noted Mr. Husemann was an extremely well respected City Manager in several Ohio cities.

Ms. Southard wished everyone a happy and safe 4<sup>th</sup> of July and noted Ms. Brahier was unable to be here this evening but the Parks and Recreation Department had been very hard at work preparing for Freedom Fest on July 3<sup>rd</sup> and 4<sup>th</sup>. Ms. Southard advised on July 3<sup>rd</sup> many kids activities were planned at the Oxford Community Park from 6-10 p.m. with live entertainment from 7-10 p.m. and the Fireworks Extravaganza at dark. Ms. Southard noted on July 4<sup>th</sup> from 11:00 a.m. to 7:00 p.m. a lot of activities were planned at the municipal pool including music by DJ John from 12-3 p.m. Ms. Southard advised many businesses sponsored these events and thanked the Oxford Community Foundation, Pepsi, the Oxford Visitors Bureau, First Financial Bank, Kroger's, McCullough Hyde and Shademakers. Ms. Southard noted as a naturalized American this was a special occasion and she loved the fireworks and hoped everyone had a great time.

Mr. Keebler noted the live entertainment on July 3<sup>rd</sup> at the Community Park would take the place of the Uptown concert this week.

Mr. Blackburn noted the Porsche event last weekend was successful and they would be coming back to Oxford for the next 5 years. Mr. Blackburn advised Law Camp was also successful last weekend and there were many happy and tired campers and Police Officers. Mr. Blackburn wished everyone a safe and happy weekend.

Mayor McKeehan advised Relay for Life took place last weekend at Millett Hall and \$40,000 was raised for cancer research. Mayor McKeehan noted it was a very positive event to have in the community. Mayor McKeehan commented on the Porsche Red Brick Reunion event and Law Camp and noted there were 104 campers and 104 Porsches in town.

## **ADJOURN**

Mr. Smith moved to adjourn at 8:26 p.m. Mr. Blackburn seconded. The motion passed 5-0-0.

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 5, 2014

Sam Perry  
**Prepared By**

**Account Code No. #:**

July 31, 2014  
**Date Prepared**

**Budgeted Amount:**

**HAPC MEETING REPORT – JULY 2, 2014**

**Requests for Review (Certificate of Appropriateness)**

**HAPC-2014-11 28 W. Walnut Street**, demolition of an existing structure and construction of a new four-story mixed-use structure, **Tom Kachos, Park Place Real Estate, Applicant/Agent**

The request was to remove the existing 1920's 1-½ story single-family dwelling and replace it with a four-story mixed-use building. The new building would have commercial on the first floor and three floors of apartments. In the opinion of the applicant and third party consultants, there were significant structural and age-related conditions with the existing building that would require substantial reconstruction and renovation to bring the building up to current standards. The building has an active rental permit and will be occupied this school year. The applicant's architect provided extensive three-dimensional renderings of the proposed new four-story building. The applicant submitted 150 photos at the meeting documenting the current condition. Some Commission members questioned how recent the cited conditions occurred and that many of them could be categorized as maintenance items. One item in need of follow up is the statement of windows not meeting egress requirements. The Commission deliberated on the demolition conditions of approval from the city code. The Commission voted to table the item in order to allow more time to absorb the submitted information not in the original pre-meeting packet. The item is automatically scheduled for August 6, 2014.

**HAPC-2014-12 29 E High Street, Collected Works**, new wall sign and gooseneck lights,  
**Rachel Pfeiffer, Applicant, Agent**

A new metal letter wall sign was approved. Collected Works has changed their business name to Lane and Kate.

**New Business**

In closing comments the Commission decided to add the topic of "Prevention of Demolition by Neglect" to their 2014 goals.

**Upcoming Dates**

- Next regular meeting is scheduled for August 6, 2014
- Historic Marker Ceremony - September 4, 2014 – Guest Speaker Jacky Johnson
- Preservation Trades Workshop – September 12-13, 2014 - Belmont College

**Department Head:**  
**City Attorney:**  
**City Manager:**

*JHC 7/31/14*  
*DKA 8/1/14*

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 5, 2014

**Account Code No. #:**

Jung-Han Chen  
**Prepared By**

**Budgeted Amount:**

July 24, 2014  
**Date Prepared**

**PLANNING COMMISSION MEETING REPORT – July 8, 2014**

**Reports from Commissions, Boards, Committees and Staff**

The Planning Commission Subcommittee on Commercial Districts held a work session prior to the regular meeting to further discuss diversification of commercial districts. More work to follow. The Subcommittee on Parking Lot Design will convene sometime in the near future to propose changes to the Vehicle Management Chapter of the Oxford Zoning Code.

**New Business**

Major/Minor Amendment to an Approved Planned Development, Miami Commons, 610 Oxford Commons, Scott Webb, Applicant, Agent

The applicant was seeking a determination from the Planning Commission on whether the proposed improvements can be considered a minor amendment to an approved Planned Development. The proposed improvements included a building addition to the rear of each building thus reducing the perimeter setback from 15' to 9'. Additionally, the improvements would break up the current 4-bedroom units into two units with one and two bedroom units. The total number of dwelling units would increase from 66 to 132 units. The Commission felt the addition to the buildings in the interior of the complex could be considered as minor, but the rear addition to the buildings bordering the site would be considered as a major amendment to the approved Planned Development.

McGuffey Foundation Montessori School Request to Install a 6 Foot Privacy Fence in the Front Yard, McGuffey Foundation Montessori School, Applicant

The McGuffey School received a Special Use permit in 1999 to expand the school facility to 5156 Westgate Drive in a R1A District. The proposal is to install a 6' high fence in the front yard. Typically, a 4' fence would be allowed in the front yard. The school administrator indicated that the purpose of the proposed fence was for security purposes. The Commission felt that the proposed fence would alter the appearance of the use from off the site and should be considered as a major change to an approved Conditional Use Permit.

**Next Meeting**

The next regularly scheduled Planning Commission meeting will take place August 12, 2014.

**Approved by:**

|                         | <b>Initial</b> | <b>Date</b>    |
|-------------------------|----------------|----------------|
| <b>Department Head:</b> | <u>yh</u>      | <u>7/24/14</u> |
| <b>City Attorney:</b>   | <u></u>        | <u></u>        |
| <b>City Manager:</b>    | <u>brc</u>     | <u>8/1/14</u>  |

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 5, 2014

Sam Perry  
**Prepared By**

**Account Code No. #:**

July 31, 2014  
**Date Prepared**

**Budgeted Amount:**

|                      |                                                               |
|----------------------|---------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>Board of Zoning Appeals Meeting Report – July 16, 2014</b> |
|----------------------|---------------------------------------------------------------|

New member Jack Cohen was in attendance.

Adjudication Hearings

**BZA-2014-05 100 W. Central Avenue**, variance to Section 1143.01(c)(2) front-yard requirements, as modified by Section 1141.03(c)(1)A corner lots, **Scott Webb Applicant, Agent**

The owner purchased this property without a survey. In the process of filing permits for an expanded deck they discovered that the South Beech Street right-of-way and associated front-yard setback, would limit the deck expansion. The proposal was to construct a wrap-around side and rear deck, which would be within the required front-yard setback. The required front yard was 20 feet and the deck would be 10 feet. The deck extension would be no closer to the right-of-way than the former stoop. After deliberation using the decision standards, the majority of BZA determined that there were practical difficulties sufficient to warrant granting the variance. The Board approved the request 4-1-0.

**BZA-2014-06 20-24 E. High Street and 48-56 E. Park Place** Appeal of HAPC's Decision to deny a Certificate of Appropriateness for an application for an addition and demolition, HAPC-2014-08, **Jay C. Bennett, Applicant, Agent**

This item was tabled due to the property owner being unable to attend. The item is automatically rescheduled for August 20, 2014.

Gary Meyer completed his final term on BZA in June 2014, having served over 15 years on the Board since October 1998.

Next Meeting

The next BZA meeting is scheduled for August 20, 2014

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial      Date**

|                                                                                       |         |
|---------------------------------------------------------------------------------------|---------|
|  | 7/31/14 |
|  | 8/1/14  |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation  
**Originating Department**

Council Meeting Of: 8/5/14

Gail S. Brahier  
**Prepared By**

Account Code No. #: N/A

Budgeted Amount: N/A

7/30/14  
**Date Prepared**

**Agenda Title:** Recreation Board Meeting, 7/17/14

**Recommendation:** N/A

**Discussion:** In attendance: Shaunna Tafelski, Melissa Engelhard, Ken Bogard. Staff: Gail Brahier, Deanna Barbour.

The Board met at the Oxford Community Park. Ms. Brahier welcomed Ken Bogard, noting that Mr. Bogard was replacing outgoing Board member Brandy Darby as the citizen representative. Mr. Bogard said he was interested in working towards developing the new pool and had some interest in senior programming.

Ms. Engelhard advised the new Athletic Director for TSD is Jamie Mahaffey, replacing John Thomas. Ms. Brahier mentioned that Mr. Thomas was excellent to work with and a good partner in the community. Kelly Spivey will designate a TSD replacement for the Recreation Board.

Ms. Brahier reviewed the July 3<sup>rd</sup> event with the Board. Ms. Engelhard said it was successful and she enjoyed serving as parade judge. Ms. Brahier advised the Board the July parade would be moved back uptown on July 2, 2015 just before the music festival.

There was discussion about the online survey in March and what ideas/programs were implemented from the survey results. One program Ms. Brahier noted is the new archery program, with equipment funded by ODNR Wildlife Grant.

**Approved By:**

**Initial Date**

**Department Head:**

gb 7/30/14

**City Attorney:**

**City Manager:**

[Signature] 8/1/14

Discussion continued on the new municipal pool. The Board talked about possible portions of the pool which could be incorporated into a fundraising campaign through the Community Foundation. Ms. Brahier noted the City Manager had mentioned with Council approval the City may fund the pool through the sale of bonds, similar to how the uptown parks and community park were funded. The Board agreed if the new pool is included in the budget for 2018, they would review final pool design in 2015, generate an action plan for fundraising in 2016.

Ms. Brahier advised the Board on upcoming programs, events, and park improvements.

Ms. Tafelski discussed the new Kramer Elementary School, noting they hoped to open the doors in 2016. She said the State of Ohio was in control of developing the project.

Ms. Engelhard mentioned the Chamber is working with the Visitors Bureau to host Dog Days in the uptown Business District, Aug. 2.

The next Board Meeting is October 16, 4 pm.

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

**City Council Meeting of: July 15, 2014**

**Account Code #: 140.630.50905**

**Budgeted Amount: \$25,000.00**

Service Department  
**Originating Department**

Michael B. Dreisbach  
**Prepared By**

July 1, 2014  
**Date Prepared**

**Agenda Title: Purchase of Replacement Tractor for use at the Oxford Community Park**

**Recommendation: Approve**

### **Discussion:**

The 2014 capital equipment budget includes \$25,000 for the purchase of a replacement tractor for use at the Oxford Community Park. The current tractor is a 1976 model that is 38 years old and in poor condition. This equipment will be used extensively on a daily basis for grounds maintenance services at the Park.

The State of Ohio DAS contract for the purchase of tractors (Index STS515; Schedule # 800276) includes a 2014 Model 4044R Compact Utility Tractor with a price of \$31,260 (specifications attached). Adjustments to this price include the following:

|                              |            |
|------------------------------|------------|
| Standard Canopy              | \$ 583.00  |
| State Contract Discount      | - 6,129.78 |
| Trade in of existing tractor | - 3,000.00 |

Total Purchase Price **\$ 22,713.22**

This Resolution will authorize the City Manager to enter into an agreement with John Deere Company for the purchase of a compact utility tractor and specified options at a cost not to exceed **\$22,713.22**. Staff also recommends Council authorize the trade-in of the existing 1976 Deere tractor and accept the trade in value as quoted at \$3,000.00.

### **Approved By:**

Department Head: Initial MBD Date 7/1/14

City Manager: DRE 8/1/14

## RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JOHN DEERE COMPANY FOR THE PURCHASE OF A 2014 MODEL 4044R COMPACT UTILITY TRACTOR AND SPECIFIED OPTIONS AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$22,713.22 WHICH INCLUDES A DISCOUNT OF \$3,000.00 FOR TRADING IN THE EXISTING 1976 JOHN DEERE TRACTOR.

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

SECTION 1: Council hereby authorizes the City Manager to purchase a 2014 model 4044R compact utility tractor and specified options at State Contract pricing at a cost not to exceed \$22,713.22 which includes a discount of \$3,000.00 for trading in the existing 1976 John Deere tractor.

SECTION 2: The City Manager is hereby authorized to enter into a contract with John Deere Company for the purchase of a 2014 model 4044R compact utility tractor and specified options at State Contract pricing at a cost not to exceed \$22,713.22 which includes a discount of \$3,000.00 for trading in the existing 1976 John Deere tractor.

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

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

---

MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)



*We Come to You With Solutions*

www.koenigequipment.com

**Date:** 06/25/2014

**Quoted To:**

City Of Oxford  
101 East High Street  
Oxford OH  
45056

**Branch:** OXFORD

**Quote Number:** 007262

**Salesperson:** Stu Merkamp (513) 523-4169  
stu.merkamp@koenigequipment.com

**Expires:** 07/25/2014

We propose to furnish the equipment described herein in accord with the specification, terms, and conditions outlined.

**New JD 4044R Compact Utility Tractor** 31,260.00

\*\*\*\*INCLUDING THE FOLLOWING OPTIONS\*\*\*\*

|        |                                          |             |
|--------|------------------------------------------|-------------|
| 0320LV | Compact Utility Tractor                  | \$30,794.00 |
| 0409   | English Operators Manual and Decal Kit   | \$0.00      |
| 1520   | eHydro                                   | \$0.00      |
| 2005   | Open Station with Deluxe Seat            | \$0.00      |
| 5243   | 44X18.0-20 4PR Rear R3 Turf 2 Pos. Bias  | \$528.00    |
| 6243   | 27X10.5-15 4PR Front R3 Turf 2 Pos. Bias | \$-62.00    |

**Additional Charges**

|            |           |
|------------|-----------|
| DISCOUNT   | -6,129.78 |
| STD CANOPY | 583.00    |

**Trade Information**

|                                      |          |
|--------------------------------------|----------|
| Used John Deere 2040 Utility Tractor | 3,000.00 |
| Serial Number: 1                     |          |

**Comments**

All orders must show John Deere Company as the vendor and reference the contract & item/model number. Purchase orders should be addressed as follows:

John Deere Company  
2000 John Deere Run  
Cary, NC 27513  
Contract # 800276

\*\*Tax Exempt Form to John Deere Co. must also be provided.\*\*

|                           |           |
|---------------------------|-----------|
| <b>Selling Price:</b>     | 25,713.22 |
| <b>Less Trade-in:</b>     | 3,000.00  |
| <b>Tax:</b>               |           |
| <b>Net Selling Price:</b> | 22,713.22 |

**Accepted by:**

**Prepared by:**



Index No: STS515

Eff. Date: 1/1/2013

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

S & L GOVERNMENT PRICING SCHEDULE

SCHEDULE NUMBER: 800276

EFFECTIVE DATES: 01/01/2013 TO 12/31/2016

The Department of Administrative Services has completed the evaluation and analysis of the State Term Schedule (STS) offering submitted by the Contractor as listed herein. The Contractor listed herein has been determined to provide competitive, economical and reasonable pricing for the items contained in their offer. The respective offer, including the Standard Contract Terms & Conditions, any proposal amendment, special contract terms & conditions, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this State Term Schedule.

This State Term Schedule is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Schedule is renewed, terminated, or cancelled in accordance with the Standard Contract Terms and Conditions.

This State Term Schedule is available to all state agencies, state institutions of higher education and political subdivisions properly registered as members of the Cooperative Purchasing Program of the Department of Administration Services, as applicable.

Agencies are eligible to make purchases of the supplies and/or services in any amount and at any time as determined by the agency (see maximum order limit). The State makes no representation or guarantee that agencies will purchase the supplies and/or services approved in the State Term Schedule.

State agencies may make purchases under this State Term Schedule up to \$2500.00 using the state of Ohio payment card. Any purchases that exceed \$2500.00 will be made using the official state of Ohio purchase order (ADM-0523). Any non-state agency, institution of higher education or Cooperative Purchasing member will use forms applicable to their respective agency.

Questions regarding this and/or the State Term Schedule may be directed to:

Terri Villavicencio, CPPB  
terri.villavicencio@das.state.oh.us

This State Term Schedule and any Amendments thereto are available from the DAS website at the following address: <http://procure.ohio.gov>.

## Deere & Company

### **STATE TERM SCHEDULE**

Index No: STS515  
Eff. Date: 1/1/2013

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

#### **CONTRACTOR, PRICES, TERM SCHEDULE, ETC.**

##### **Send Purchase Orders To:**

##### **Remit To:**

##### **OAKS Contract ID:**

0000087319  
Deere & Company  
21748 Network Place  
Chicago, IL 60673-1217

Same

800276

##### **Contractor Contacts:**

Ms. Becki Shadmani 800-358-5010 Fax: 309-749-2313 Sales Contact GNSBids@JohnDeere.com

##### **Delivery:**

30-60 Days A.R.O. - F.O.B. Destination

##### **Terms:**

Net 30 Days

##### **Basic Order Limitations** (Agencies should contact Procurement Services when they expect to exceed the Maximum Order Limitation.)

Minimum: \$25.00

Maximum: \$150,000.00

**APPROVED PRODUCTS/SERVICES:** Only those vendors, products, or services as listed in the price pages, approved by the Office of Procurement Services, may be purchased from this State Term Schedule. Any vendors, prices, terms, conditions, products or services not listed in the approved price sheets are outside the scope of this schedule.

**MANDATORY USE CONTRACTS:** All General Distribution Contracts (GDC), Limited Distribution Contracts (LDC), Multiple Award Contracts (MAC), and Request for Proposals (RFP) take precedence over this State Term Schedule (STS). This STS is only for governmental entities without a mandatory use contract.

**EXCLUDED ITEMS:** (State Agencies Only) in accordance with the Ohio Revised Code Section 5147.07, 125.60, through 125.6012, 5119.16 and 3304.28 through 3304.33 state agencies are required to purchase through Ohio Penal Industries (OPI); Community Rehabilitation Programs (CRP); Department of Mental Health (DMH) Office of Support Services (Central Warehouse, and Pharmacy Services); and Rehabilitation Services Commission (RSC). State agencies must obtain a waiver from OPI, CRP, DMH Central Warehouse or Pharmacy Services, and/or RSC to procure from this schedule.

**SPECIAL NOTE:** The state of Ohio including but not limited to its agencies, boards, commissions, departments, state universities, state vocational schools, state community colleges of Ohio, and any entity authorized by law to use this State Term Schedule (STS) is not obligated to procure any products or services from this STS. This STS shall not be construed to prevent the state from purchasing products or services using other procurement methods as authorized by law.

**NOTICE TO CONTRACTOR/VENDOR:** It is the responsibility of the contractor's contact to maintain this State Term Schedule with current information. All updates i.e., telephone numbers, contact names, email addresses, tax identification number, prices, and catalogs etc., are required to be processed through the formal amendment authorization process which is initiated by way of a written request from the contractor's contact.

##### **UNSPSC CODES (OAKS Category ID) and Item Descriptions:**

All purchase orders placed against this contract shall use the following UNSPSC Codes when completing requisitions.

21101500 - Agricultural machinery for soil preparation  
Mowers, Tractors & Related

##### **NOTES:**

Please Note: Unless expressly stated within the body of the Contract, all Contract Terms and Conditions shall prevail over any terms stated in the contractor catalogs and pricelists.

Current pricelist is dated 12/13/2012.

Discount Matrix is on page two of this pricelist.

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Service Department  
Originating Department

City Council Meeting of: July 15, 2014

Michael B. Dreisbach  
Prepared By

Account Code #: 330.830.51106

July 1, 2014  
Date Prepared

Budgeted Amount: \$35,500.00

**Agenda Title: Purchase of Replacement Truck for Wastewater Treatment Plant # 01-43**

**Recommendation: Approve**

### Discussion:

The 2014 capital equipment budget includes \$35,500 for the purchase of a replacement truck for use by the Wastewater Treatment Plant. The current vehicle, #01-43, is a 2001 model (13 years) that has met its planned replacement cycle of over 10 years. The new vehicle will be used extensively on a daily basis as the primary utility service truck for the facility.

The State of Ohio DAS contract for the purchase of trucks and vans (Index GDC093; Item # 27BT) includes a 2015 Ford F-350 four wheel drive truck and associated equipment. The unit price for this vehicle sold through Walt Sweeney Ford is \$24,969.00. Staff is also requesting the following optional equipment:

|                                             |          |
|---------------------------------------------|----------|
| Delivery                                    | \$ 50.00 |
| Additional set of keys                      | 85.00    |
| All terrain tires                           | 124.00   |
| Snow plow preparation package               | 100.00   |
| Tow Hitch; trailer mirrors; b/u alarm;      | 420.00   |
| DEDUCT – Single Rear Wheel rather than dual | (899.00) |

Total with all optional equipment and deductions \$24,849.00

However, Staff has obtained pricing from local dealers using identical specifications. Jim True Ford, Inc of Brookville, IN is able to offer the identical vehicle at a delivered price of **\$24,490.00**. This price yields a savings of \$359. This dealership has provided superior service and parts availability. It is Staff's recommendation that the City purchase the vehicle from Jim True Ford, Inc.

This Resolution will authorize the City Manager to enter into an agreement with **Jim True Ford, Inc.** for the purchase of a 2015 Ford F-350 truck and specified options at a cost not to exceed **\$24,490.00**. Staff has requested special consideration from the City Manager and Council to retain the existing vehicle as it has the only bed mounted crane owned by the City. While the crane is only used in rare situations at the Plant, it is imperative that it be available when necessary. The City will be saving ~ \$10,000 by not outfitting the new service truck as a crane vehicle as well.

**Approved By:**

Department Head:

Initial Date  
MBD 7/1/14

City Manager:

[Signature] 8/1/14

## RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JIM TRUE FORD, INC. FOR THE PURCHASE OF A 2015 FORD F-150 TRUCK AND SPECIFIED OPTIONS AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$24,490.00.

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

SECTION 1: Council hereby authorizes the City Manager to purchase a 2015 Ford F-150 truck and specified options at State Contract pricing at a cost not to exceed \$24,490.00.

SECTION 2: The City Manager is hereby authorized to enter into a contract with Jim True Ford, Inc. for the purchase of a 2015 Ford F-150 truck and specified options at State Contract pricing at a cost not to exceed \$24,490.00.

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

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

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MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

ITEM – 27AT – PICKUP – Regular Cab, 4WD, DRW, 12,800 lb. – GasolineDELIVERY: 60-120 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Louisville, KYCONTRACTOR: Walt SweeneyMFG: FordMODEL: F350MODEL NUMBER: F3DItem ID No.: 25361UNIT PRICE \$24,969.00List any exceptions to the specifications: NONE

| <u>ITEM ID NO.</u> |                                                                                              |  | <u>UNIT COST</u> |
|--------------------|----------------------------------------------------------------------------------------------|--|------------------|
| 25365              | Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor: |  | \$ .38           |
| 25366              | Minimum Delivery Charge                                                                      |  | \$ 50.00 *       |

| <u>ITEM ID NO.</u> | <u>CONTRACTOR'S ORDER NO.</u> | <u>OPTIONS</u>                                              | <u>UNIT COST</u> |
|--------------------|-------------------------------|-------------------------------------------------------------|------------------|
| 25367              | TEMP                          | 30 Day Tag                                                  | \$ 18.50         |
| 25368              | PBCD                          | Parts Manual                                                | \$ 270.00        |
| 25369              | SMCD                          | Service Manual                                              | \$ 250.00        |
| 25370              | KEY                           | Additional Set of Keys                                      | \$ 85.00 *       |
| 25372              | C                             | Cloth Seat Covering                                         | \$ 99.00         |
| 25374              | 85 LINER                      | Bed Liner                                                   | \$ 239.00        |
| 25375              | 52B                           | Tow Hitch / 7-Pin Plug / Brake Controller                   | \$ 196.00 *      |
| 25377              | TBM                           | All-Terrain Tires                                           | \$ 124.00 *      |
| 25378              | D54P                          | Trailer Tow Mirrors                                         | \$ 124.00 *      |
| 25379              | BA76C                         | Backup Alarm                                                | \$ 100.00 *      |
| 25380              | SBE                           | Seat Belt Extender (1 Unit)                                 | \$ 5.00          |
| 25381              | 18B                           | Step Rails / Running Boards                                 | \$ 279.00        |
| 25382              | 473                           | Manufacturer Snow Plow Prep Package (Does not include Plow) | \$ 100.00 *      |
| 25383              | PLOW8                         | Snow Plow (Order w/ Snow Plow Prep Package)                 | \$ 3,140.00      |
| Specify on PO      | F3B                           | Single Rear Wheel (SRW)                                     | \$ -899.00 *     |

List standard paint colors: Vermillion Red, Pale Adobe Metallic, Blue Jeans Metallic, Tuxedo Black Metallic,  
Sterling Grey Metallic, Ingot Silver Metallic, Green Gem Metallic, Oxford White

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, David Colopy, for approval;

3. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
4. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: 3% above manufacturer invoice.



11173 U.S. 52 SOUTH • P.O. BOX 189 • BROOKVILLE, IN 47012 • 765-647-4151

Eric Keebler,

Along with the Vehicle Order Confirmation that I am sending out to you ... we will be able to bid the 2015 F-350 Super Duty Regular cab to the City of Oxford @ \$24,490 out the door.

Thank you for the opportunity to work with you and your company!! Looking forward to hearing back from you!!

Jill Mergenthal

Sales Associate

CNGP530

## VEHICLE ORDER CONFIRMATION

06/25/14 16:12:32

==&gt;

Dealer: F47420

2015 F-SERIES SD

Page: 1 of 2

Order No: M501 Priority: H2 Ord FlN: QJ011 Order Type: 5B Price Level: 515

Ord PEP: 610A Cust/Flt Name: OXFORD

PO Number:

RETAIL

RETAIL

|      |                  |         |                               |
|------|------------------|---------|-------------------------------|
| F3B  | F350 4X4SDR/CSR  | \$34740 | JOB #1 BUILD                  |
|      | 137" WHEELBASE   |         | 10400# GVWR PKG               |
| Z1   | OXFORD WHITE     | 473     | SNOW PLOW PKG 85              |
| A    | VNYL 40/20/40    |         | SPARE TIRE/WHL5 NC            |
| S    | STEEL            | 52B     | BRAKE CONTROLLER 270          |
| 610A | PREF EQUIP PKG   |         | 12.5K TRLR HTCH NC            |
|      | .XL TRIM         |         | TELE TT MIR-PWR               |
|      | .TRAILER TOW PKG |         |                               |
| 572  | .AIR CONDITIONER | NC      | TOTAL BASE AND OPTIONS 37950  |
|      | .AM/FM STER/CLK  |         | TOTAL 37950                   |
| 996  | .6.2L EFI V8 ENG | NC      | *THIS IS NOT AN INVOICE*      |
| 44P  | 6-SPD AUTOMATIC  | NC      | *TOTAL PRICE EXCLUDES COMP PR |
| TBM  | LT245 BSW AT 17  | 125     |                               |
| X3E  | 3.73 ELOCKING    | 390     | * MORE ORDER INFO NEXT PAGE * |
| 90L  | PWR EQUIP GROUP  | 895     | F8=Next                       |

CNGP530

## VEHICLE ORDER CONFIRMATION

06/25/14 16:12:43

==&gt;

Dealer: F47420

2015 F-SERIES SD

Page: 2 of 2

Order No: M501 Priority: H2 Ord FIN: QJ011 Order Type: 5B Price Level: 515

Ord PEP: 610A Cust/Flt Name: OXFORD

PO Number:

RETAIL

RETAIL

|                               |                    |                     |  |
|-------------------------------|--------------------|---------------------|--|
| 59H                           | HI MNT STOP LMP    | NC                  |  |
|                               | JACK               |                     |  |
| 66S                           | UPFITTER SWCH      | 125                 |  |
| 76C                           | REVERSE ALARM      | 125                 |  |
| 794                           | PRICE CONCESSN     |                     |  |
|                               | REMARKS TRAILER    |                     |  |
|                               | SP FLT ACCT CR     |                     |  |
|                               | FUEL CHARGE        |                     |  |
|                               | DEST AND DELIV     | 1195                |  |
| TOTAL BASE AND OPTIONS 37950  |                    |                     |  |
| TOTAL 37950                   |                    |                     |  |
| *THIS IS NOT AN INVOICE*      |                    |                     |  |
| *TOTAL PRICE EXCLUDES COMP PR |                    |                     |  |
| F7=Prev                       |                    |                     |  |
| F1=Help                       | F2=Return to Order | F3/F12=Veh Ord Menu |  |
| F4=Submit                     | F5=Add to Library  | F9=View Trailers    |  |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

City Manager

**Originating Department**

**Council Meeting Of:** August 5, 2014

Doug Elliott

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

August 1, 2014

**Date Prepared**

**Agenda Title:** Proposed Estoppel Certificate

**Recommendation:** Approve

**Discussion:** 4-Leaf Development, LLC has been working with a buyer (Trinitas Development LLC) for a portion of the Southpointe property. This portion of property (39 acres) was recently rezoned by the City from OI to R2A. Trinitas Development is scheduled for a concept review with the Planning Commission on August 12<sup>th</sup>. The preliminary plan submitted includes 189 units for Phase 1 and 49 units Phase 2. It is proposed as a Planned Unit Development (PUD). The purpose of Planned Developments is stated in our Codified Ordinances Chapter 1145 as follows "Planned developments incorporate land uses and development patterns that are intended to permit and encourage creative and flexible land development that is not permitted by right under the administrative regulations of underlying zoning districts. The plan development is particularly well suited to address two distinct goals of the Comprehensive Plan: to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivision and infill development that fully utilizes available land and existing utility resources where they already exist."

Recently staff and I met with Jim Clawson, Scott Webb, and their attorney regarding the Development Agreement for this site. A buyer of all or a portion of this site is subject to the terms and conditions of the Development Agreement. Trinitas Development has requested a statement from the City confirming that 4-Leaf's obligations under the development agreement have been fulfilled. Staff and I reviewed the provisions of the Development Agreement which was signed in 2006. Most of the provisions have been satisfied or are no longer applicable (such as the connector provisions). However, two provisions are outstanding. One is the credit for the remaining tap fees (approximately \$208,000). The other is a requirement to install a traffic light at the intersection of Southpointe and US 27. Regarding the remaining tap fees, 4-Leaf and OXO1 have the right to assign the remaining tap fees to all or any part of the property. The traffic light would remain the responsibility of 4-Leaf and OXO1 unless the agreement is amended by Council.

Jim Clawson and his partners have requested that the City provide an estoppel certificate certifying that the seller's obligations under the Development Agreement have been satisfied and that no further obligations exist under the agreement. The City Attorney and I have reached an agreement with 4-Leaf Development for a proposed estoppel certificate. The proposed certificate states that no formal amendments to the agreement have been made. It also states that there is no existing default by any party to the agreement and the issuance of any PUD approval or permits for the development of the property shall not be conditioned on amending the agreement. The City Attorney and I recommend that Council pass a resolution authorizing the City Manager to sign the proposed estoppel agreement.

**Approved By:**

**Initial Date**

**Department Head:**  
**City Manager:**

*DRE 8/1/14*

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN ESTOPPEL CERTIFICATE WITH REGARD TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OXFORD AND 4-LEAF DEVELOPMENT, LLC.

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

SECTION 1: The City has reached an agreement with 4-Leaf Development, LLC and OX01 for an estoppel certificate to be issued which states that no formal amendments to the development agreement between the City of Oxford and 4-Leaf Development, LLC have been made and that there is no existing default by any party to the agreement. The certificate further states that the issuance of any Planned Development approval or permits for the development of a portion of the Southpointe property (39 acres) shall not be conditioned on amending the agreement.

SECTION 2: The City Manager the Law Director recommend the City Manager sign the estoppel certificate to allow a portion of the Southpointe property (39 acres) to be developed pending recommendations from the Planning Commission.

SECTION 3: City Council authorizes the City Manager to take all steps necessary to sign the estoppel certificate.

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

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: July 15, 2014

Account Code #: 122.720.52450 & 123.730.52450

Budgeted Amount: \$70,750 / \$15,200

Service Department  
Originating Department

Michael B. Dreisbach  
Prepared By

July 1, 2014  
Date Prepared

**Agenda Title: Purchase of Road De-icing Salt in Conjunction with Butler County Engineer's Office Purchasing Contract**

**Recommendation: Approval**

**Discussion:** The City of Oxford expects to purchase approximately 1,500 tons, more or less, of road de-icing materials in the balance of 2014 and during calendar year 2015. The City must still restock our supplies that were exhausted during the record setting winter season of 2013-14.

The Streets & Maintenance Division has been working with the Butler Co. Engineer's Office to provide the City with the opportunity to piggyback onto Butler County's procurement bid for road de-icing salt. By pooling our purchasing power with several jurisdictions, the City receives more favorable pricing for our deicing material purchases.

Butler County has awarded a contract to **Cargill, Inc.** at the following rates:

**Cargill, Inc.      \$66.71 per ton (dumped on site)      \$70.71 per ton (stacked)**

This price represents an increase of 3.9% over prices from 2013's contract rate of \$64.22 per ton that was awarded to Central Salt, Inc.

It is Staff's recommendation that Council approve a Resolution accepting the bid of Cargill, Inc. and authorize the City Manager to enter into an agreement with Cargill, Inc. for the purchase of road de-icing materials for an amount not to exceed \$130,000.

**NOTE:** While the budgeted amount is not sufficient to purchase the maximum quantity authorized by this Resolution, staff is requesting POSSIBLE additional purchasing capacity should an extreme winter warrant the purchase with additional funds authorized by Council through a supplemental appropriation.

**Approved By:**

Department Head: Initial MBD Date 7/1/14

City Manager:

 8/1/14

**RESOLUTION NO.**

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONTRACT SECURED BY THE BUTLER COUNTY ENGINEER'S OFFICE AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CARGILL, INC. FOR THE PURCHASE OF ROAD DE-ICING MATERIALS FOR AN AMOUNT NOT TO EXCEED \$130,000.00.

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

SECTION 1: The City Manager and Service Director hereby recommend Council authorize the City Manager to enter into a contract with Cargill, Inc. for the purchase of road de-icing materials for an amount not to exceed \$130,000.00.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Service Director and hereby authorizes the City Manager to enter into a contract under the terms obtained by the Butler County Engineer's Office with Cargill, Inc. for the purchase of road de-icing materials for an amount not to exceed \$130,000.00.

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

CONTRACT NO. 2014-2M

THIS CONTRACT, made and entered into this \_\_\_\_ day of JUN 26 2014 in the year Two Thousand Fourteen by and between the Board of County Commissioners of Butler County, Ohio ("COUNTY"), and Cargill, Inc. ("CONTRACTOR").

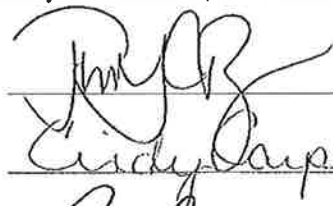
WITNESSETH: That the CONTRACTOR has agreed, and by these presents does agree with the COUNTY for the consideration herein below mentioned, to provide at CONTRACTOR'S own proper cost and expense all necessary materials and labor of every description, and to carry out complete in good, firm, and substantial manner the Furnishing of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for Butler County, City of Fairfield, City of Oxford, Villages and Townships. The provisions contained in the "Specifications" and in the "Schedule for Billing and Delivery," which were presented in the Invitation to Bid, are attached hereto as Exhibit A and Exhibit B, respectively, and are hereby incorporated into this contract.

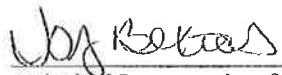
The quantity of 8,500 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for County use shall be provided at a unit price of \$70.71 per ton for piler and \$66.71 per ton for dump. The quantity of 6,665 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for City and Village use shall be provided at a unit price of \$70.71 per ton for piler and \$66.71 per ton for dump. The quantity of 14,675 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for Township use shall be provided at a unit price of \$70.71 per ton for piler and \$66.71 per ton for dump. The quantities for County, City, Village and Township use are to be billed and shipped directly to the County, City, Village or Township, as indicated on the "Schedule for Billing and Delivery" and as arranged directly between each jurisdiction and the CONTRACTOR, at the foregoing unit prices without further cost to any jurisdiction for delivery.

CONTRACTOR hereby agrees to release, indemnify, defend, and hold harmless Butler County and its agencies, offices, officials, and all employees thereof from and against any and all liability, actions, claims, suits, demands, costs, expenses, penalties, fines, or judgments on account of any loss or damage to any person or property or any failure to comply with governmental laws and regulations which result from or arise out of any act or omission of the Contractor or its subcontractors or the agents, officers, employees, or material men of either, jointly or severally, while engaged in the work to be performed under this contract.

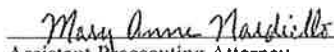
CONTRACTOR shall be responsible for the Contractor's work under this contract, and for the work of other parties undertaking any portion of the Contractor's responsibility or obligation, including compliance with all applicable local, State, and Federal laws and regulations concerning workplace safety.

IN WITNESS WHEREOF, the said COUNTY of Butler, Ohio, has caused its name to be affixed by the Board of County Commissioners, and CONTRACTOR has set its hand on the day and year aforesaid.

  
\_\_\_\_\_  
Eridy Carpenter  
\_\_\_\_\_  
Board of County Commissioners

  
\_\_\_\_\_  
Authorized Representative of Contractor  
  
\_\_\_\_\_  
Joy Bektas  
Printed Name  
  
\_\_\_\_\_  
Customer Solutions Specialist  
Title

Approved as to form only:

  
\_\_\_\_\_  
Assistant Prosecuting Attorney

**CONTRACT NO. 2014-2M**

**SPECIFICATIONS**

1. QUANTITY - Is approximate and is on a "more or less" basis. Supplier shall meet all needs through May 31, 2015. Actual orders may be more or less than estimated. Estimates indicated will be used solely for the purposes of making a tabulation of bids. The Contractor shall bid on the contract as a whole. Partial bids will not be separated or accepted.
2. PRICE - To be guaranteed through May 31, 2015.
3. DELIVERY - Shall be made by the supplier within seventy-two (72) hours of notification.
4. BLOWER - Price quotes required for straight dump and for blower/piler (price per ton of materials).
5. ANTI-CAKING AGENT - To be contained in salt.
6. LOAD LIMITS - Vehicles hauling goods and/or materials for the Butler County Engineer's Office shall conform to the Ohio State Laws governing load weight limits of roads and bridges. The County Engineer will not be responsible for any goods and/or materials delivered by a vehicle not in compliance with such laws. Weight slips from vehicles indicating noncompliance may be turned over to the proper law enforcement agency for appropriate action. Vehicles shall be tarped and/or enclosed to prevent spillage of material.
7. TESTING - Material supplied shall be in conformance with the State of Ohio Department of Transportation "Construction and Material Specifications" Manual dated January 1, 2010. A notarized Certificate of Conformance from the Ohio Department of Transportation or a certified independent testing laboratory stating that the material as bid is in conformance with 712.03 shall be submitted along with the bid.

**CONTRACT 2014-2M****SCHEDULE FOR BILLING AND DELIVERY**

| <b>TONS</b> | <b>COUNTY</b>                                         | <b>BILLING<br/>ADDRESS</b>                       | <b>DELIVERY<br/>LOCATION</b>                     |
|-------------|-------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| 8,500       | <i>Butler County<br/>Engineer's Office<br/>(BCEO)</i> | BCEO<br>1921 Fairgrove Ave.<br>Hamilton OH 45011 | BCEO<br>1921 Fairgrove Ave.<br>Hamilton OH 45011 |

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| <b>TONS</b> | <b>CITY</b>              | <b>BILLING<br/>ADDRESS</b>                   | <b>DELIVERY<br/>LOCATION</b>                 |
|-------------|--------------------------|----------------------------------------------|----------------------------------------------|
| 5,000       | <i>City of Fairfield</i> | 8870 North Gilmore Rd.<br>Fairfield OH 45014 | 8870 North Gilmore Rd.<br>Fairfield OH 45014 |
| 1,500       | <i>City of Oxford</i>    | 101 E. High St.<br>Oxford OH 45056           | 945 Collins Run Rd.<br>Oxford OH 45056       |

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| <b>TON</b> | <b>VILLAGE</b>    | <b>BILLING<br/>ADDRESS</b>              | <b>DELIVERY<br/>LOCATION</b>             |
|------------|-------------------|-----------------------------------------|------------------------------------------|
| 130        | <i>New Miami</i>  | 268 Whitaker Ave.<br>Hamilton, OH 45011 | 301 Augspurgen Ave<br>Hamilton, OH 45011 |
| 35         | <i>Somerville</i> | PO Box 194<br>Somerville, OH 45064      | Bulldog Drive<br>Somerville, OH 45064    |

**CONTRACT 2014-2M**  
**SCHEDULE FOR BILLING AND DELIVERY**  
 (Page 2)

| <b>TONS</b> | <b>TOWNSHIP</b>              | <b>BILLING<br/>ADDRESS</b>                         | <b>DELIVERY<br/>LOCATION</b>                                                                            |
|-------------|------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1,200       | <i>Fairfield Township</i>    | BCEO<br>1921 Fairgrove Ave.<br>Hamilton OH 45011   | BCEO<br>1921 Fairgrove Ave.<br>Hamilton OH 45011                                                        |
| 1,000       | <i>Hanover Township</i>      | 2595 Old Oxford Road<br>Hamilton OH 45013          | 1775 Morman Rd.<br>Hamilton OH 45013                                                                    |
| 3,200       | <i>Liberty Township</i>      | 6400 Princeton Rd.<br>Liberty Twp OH 45011         | 5170 Princeton Glendale Road<br>Liberty Township, OH 45011<br>& 6959 Yankee Road<br>Middletown OH 45044 |
| 500         | <i>Madison Township</i>      | 5610 W. Alexandria Rd.<br>Middletown OH 45042      | 5610 W. Alexandria Rd.<br>Middletown OH 45042                                                           |
| 225         | <i>Milford Township</i>      | PO Box 68<br>Collinsville OH 45004                 | 1414 Oxford Trenton Rd.<br>Oxford, OH 45056                                                             |
| 650         | <i>Morgan Township</i>       | 3141 Chapel Rd., Box #1<br>Okeana OH 45053         | 3141 Chapel Rd.<br>Okeana OH 45053                                                                      |
| 500         | <i>Oxford Township</i>       | 925 Collins Run Rd<br>Oxford OH 45056              | 945 Collins Run Rd.<br>Oxford OH 45056                                                                  |
| 350         | <i>Reily Township</i>        | 6093 Reily Millville Rd<br>Oxford OH 45056         | 6061 Reily Millville Rd.<br>Reily OH                                                                    |
| 600         | <i>St. Clair Township</i>    | 2449 Jackson Rd.<br>Hamilton OH 45011              | 2449 Jackson Rd.<br>Hamilton OH 45011                                                                   |
| 450         | <i>Wayne Township</i>        | 5967 Jacksonburg Rd.<br>Trenton OH 45067           | 4570 Oxford Middletown Rd.<br>Middletown OH 45042                                                       |
| 6,000       | <i>West Chester Township</i> | 9113 Cincinnati Dayton Rd<br>West Chester OH 45069 | 9577 Beckett Rd.<br>West Chester OH 45069                                                               |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

**Council Meeting Of:** August 5, 2014

**Originating Department:** Economic Development

**Prepared By:** G. Alan Kyger

**Date Prepared:** July 23, 2014

**Agenda Title:** A Resolution authorizing the City Manager to enter into a Listing Contract extension with RE/Max Alpha Commercial Group to list for sale and market, City real estate at 4293 Oxford Reily Road.

**Recommendation:** Approval

**Discussion:**

On July 20, 2010 the Oxford City Council passed Resolution 4551. Resolution 4551 authorized the City Manager to enter into a 12 month contract with RE/Max Alpha Commercial Group to list for sale & market 47.46 acres of land on Oxford Reily Road and Brookville Road. The address for this parcel is 4293 Oxford Reily Road and the Butler County parcel number is H4100119000029.

The Listing Contract has been extended each year since 2010. The current listing contract expired on July 15, 2014. RE/Max Alpha Commercial Group has submitted a request to extent the existing listing for another year.

RE/Max Alpha Commercial Group has handled the listing and marketing of this property over the last four years. The non-rental residential real estate has recently begun to recover from the great recession. In addition to this, the recently formed OXvillage group is very much interested in bringing additional senior housing to Oxford. OXvillage and RE/Max Alpha toured an empty nester development which is exploring locating in Oxford.

At this time, our options are:

- Renew the current listing with RE/Max Alpha Commercial Group.
- Seek another request for listing proposals from the real estate community.
- Bring the listing back inside the City.

City staff is recommending extending the current real estate listing with RE/Max Alpha Commercial Group for 12 months.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial / Date**

*GA* / 7-23-14

*[Signature]* 8/1/14

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE CURRENT CONTRACT WITH RE/MAX ALPHA COMMERCIAL GROUP TO LIST FOR SALE AND MARKET THE CITY OWNED REAL ESTATE AT 4293 OXFORD REILY ROAD FOR A TWELVE (12) MONTH PERIOD ENDING JULY 15, 2015.

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

SECTION 1: The City of Oxford has previously entered into a contract with RE/Max Alpha Commercial Group for the listing and marketing for sale the city owned real estate located at 4293 Oxford Reily Road.

SECTION 2: The City Manager and the Economic Development Director recommend the contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road with six percent (6%) commission payable at closing, be extended for a twelve (12) month period ending July 15, 2015.

SECTION 3: Council hereby accepts the recommendation of the City Manager and the Economic Development Director and authorizes the City Manager to extend the current contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road with a six percent (6%) commission payable at closing, for a period of twelve (12) months ending July 15, 2015.

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

## MLS of Greater Cincinnati, Inc. Revised: 3/24/08

Please check ☒ the changes that apply. Complete only the information below that applies.

MLS# 1237293      MLS Area: W18      Suburb (SIC):

Property address: 4293 Oxford Reily Rd.

➤ **Expiration Date:**

is extended to midnight of the Date 7/15/15, 2015

Other: Other amendments to the listing agreement are:

RE/MAX Alpha

---

✱ Listing Company Name ✱

*[Signature]*  
Agent/Broker/Manager Signature

7/9/14 20\_\_\_\_, \_\_\_\_  
\* Date \* Time

City of Oxford, OH  
 \* Owner/Seller Signature \*

by: \_\_\_\_\_  
 \* Owner/Seller Signature \*

\* Date \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ \* Time \_\_\_\_\_

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development Department  
**Originating Department**

**Council Meeting Of:** August 5, 2014

Jung-Han Chen  
**Prepared By**

**Account Code No. #:**

**Budgeted Amount:**

July 23, 2014  
**Date Prepared**

|                      |                                                                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>A Resolution Authorizing the Assessment of Delinquent Charges for the Cutting and Removal of Weeds, Vegetation and/or Grass to be Placed on the Butler County, Ohio Property Tax Duplicate</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                        |                 |
|------------------------|-----------------|
| <b>Recommendation:</b> | <b>Approval</b> |
|------------------------|-----------------|

**Discussion:**

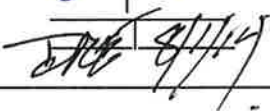
Certain properties in the City have failed to abate tall grass violations, causing the City to hire a private contractor to mow these properties with City funds. A list of properties is attached with this resolution for your information. The purpose of this resolution is to assess these properties for the cost of abating the violations. The City will eventually be reimbursed either when the property tax is due or when the property is transferred.

The Butler County Auditor's Office only places delinquent charges on property taxes once per year. The deadline is September 8, 2014.

**Approved By:**

**Department Head:**  
**City Attorney:**  
**City Manager:**

**Initial    Date**  
JHC 7/23/14

 8/1/14

## **RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR THE REMOVAL OR DESTRUCTION OF NOXIOUS VEGETATION TO BE PLACED ON THE BUTLER COUNTY, OHIO PROPERTY TAX DUPLICATE.

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

SECTION 1: The City of Oxford follows the procedure set forth in the Oxford Codified Ordinance Sections 935.19 to 935.22 for the removal of noxious vegetation.

SECTION 2: The owner of property located within the City of Oxford which is indexed on the list attached and incorporated herein as Exhibit "A", had noxious vegetation on their property and they have been provided with written notice to cut and remove weeds, vegetation, and/or grass.

SECTION 3: The owner of property on Exhibit "A" has continued to fail to cut and remove weeds, vegetation, and/or grass and they are not in compliance with the notices.

SECTION 4: As a result of the owner referenced on Exhibit "A" continuing to fail to cut and remove weeds, vegetation, and/or grass on their property, the City hired private contractors to cut and remove weeds, vegetation, and/or grass.

SECTION 5: All expenses and labor costs incurred by the City of Oxford, Ohio during the cutting and removal of weeds, vegetation, and/or grass were paid out of Municipal funds.

SECTION 6: The owner of the property indexed on Exhibit "A" was provided with written notice to refund the labor costs incurred by the City of Oxford, Ohio within fifteen (15) days after the expenses were incurred. The owner was also notified that failure to remit the labor costs incurred by the City of Oxford, Ohio would result in an assessment to the property tax duplicate.

SECTION 7: The owner of the property on Exhibit "A" failed to refund the labor costs incurred by the City of Oxford, Ohio and this delinquent charge can be recovered by certification to the Butler County Auditor's Office for placement on the next property tax duplicate of the owner of said property pursuant to Oxford Code Section 935.22(B) and Ohio Revised Code Section 731.54.

SECTION 8: The City Manager is hereby authorized to certify delinquent charges to the Butler County Auditor for placement on the property tax duplicate of the owner of the property located within the City of Oxford referenced on Exhibit "A".

SECTION 9: Should the owner of property listed on Exhibit "A" pay to the City of Oxford all of the costs incurred by the City in connection with the property after the adoption of this Resolution, and prior to the filing of this resolution with the Butler County Auditor's office, the City Manager is hereby authorized to remove the owners name and parcel from Exhibit "A".

SECTION 10: The Clerk of Council shall immediately on adoption of this Resolution certify a copy of this Resolution and shall cause a copy to be filed at the Butler County Auditor's office.

SECTION 11: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION 12: This Resolution shall take effect at the earliest date allowed by law.

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**Violations**  
**Through July, 2014**

| <b><u>Parcel ID#</u></b>         | <b><u>Property Address:</u></b>        | <b><u>Owner/Address:</u></b>                          | <b><u>Amount(s):</u></b> |
|----------------------------------|----------------------------------------|-------------------------------------------------------|--------------------------|
| H4100016000066<br>(Lot 2560 ENT) | 5993 Vereker Drive<br>Oxford, OH 45056 | James Geyer<br>5993 Vereker Drive<br>Oxford, OH 45056 | \$135.00                 |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Service Department  
Originating Department

City Council Meeting of: August 5, 2014

Michael B. Dreisbach  
Prepared By

Account Code #: 418.151.52521

Budgeted Amount: \$650,000.00

July 29, 2014  
Date Prepared

**Agenda Title: Approval of a Construction Contract for the Expansion and Remodeling of the Oxford Fire Station**

**Recommendation: Approve**

**Discussion:** The 2014 capital improvement budget includes \$650,000 for the expansion and remodeling of the Oxford Fire Station located at 217 S. Elm Street. The City contracted with Architect Scott Webb to design plans and specifications for the improvement including a two story addition on the southeast side of the existing building. Each floor of the addition will add approximately 1,200 sq. ft. of space to the building. The first floor of the addition will be utilized for training / meeting purposes; the second floor of the addition will be used for staff sleeping quarters and new restroom / shower facilities. The existing kitchen will be remodeled and remain in the existing part of the building. The addition will be clad in brick to match the existing building (as closely as possible). There are two design issues to be resolved through the Board of Zoning Appeals including variances for the southern building set back line and the amount of glazing on the southern façade.

In addition to the base bid specification package, the City included specifications for two alternate proposals. Alternate #1 detailed a full height basement below the new addition with a connecting door to the existing basement. Alternate #2 requested proposals for a fire suppression system for the existing building and the proposed addition.

Staff advertised for bids in the *Hamilton Journal* and multiple plan review clearinghouses on June 27 and July 2, 2014. Four qualified bidders purchased plan sets and the City received three bids that were publicly opened and read on July 25, 2014 with the following results (the City's estimate for the base bid was \$398,000):

| <u>Bidder</u>         | <u>Base Bid</u> | <u>Alt. #1</u><br>(Basement) | <u>Alt. #2</u><br>(Fire Suppression) |
|-----------------------|-----------------|------------------------------|--------------------------------------|
| J K Custom Homes, LLC | \$ 350,000      | \$ 37,000                    | \$ 12,000                            |
| Empire Building Co.   | 533,000         | 67,000                       | 13,000                               |
| DAG Construction Co.  | 575,000         | 62,500                       | 90,500                               |

Staff investigated references of J K Custom Homes, LLC including a project constructed for Talawanda School District and a similar project in Washington Township (Montgomery Co.). All references were very pleased with the performance of J K Custom Homes. They are also rated "A+" by the Better Business Bureau.

J K Custom Homes, LLC has provided the lowest and best bid. Staff is recommending the City Council authorize the City Manager to enter into an agreement with J K Custom Homes, LLC to include the Base Bid and Alternate # 1 only for a total of \$387,000. Alternate # 2 is not recommended for award due to the disparity in the bids. J K Custom Homes alternate bid only included fire suppression for the addition and not the entire structure. Staff intends to rebid Alternate # 2 so that the entire structure obtains fire suppression capabilities. Staff is requesting a 10% contingency for the project in the amount of \$38,700; therefore Staff is requesting authorization to enter into a contract with J K Custom Homes, LLC for an amount not to exceed \$ 425,700.

Approved By:

Department Head:

City Manager:

Initial Date  
MBD 7/30/14  
JKE 8/1/14

## RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID SUBMITTED BY JK CUSTOM HOMES, LLC AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JK CUSTOM HOMES, LLC FOR THE EXPANSION AND REMODELING OF THE CITY OF OXFORD'S FIRE STATION AT A COST OF \$387,000.00 PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$38,700.00 FOR A TOTAL COST NOT TO EXCEED \$425,700.00.

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

SECTION 1: The City advertised for bids in the *Hamilton Journal* and in multiple plan review clearinghouses on June 27, 2014 and July 2, 2014. Three (3) sealed bids were opened and publicly read on July 25, 2014. The lowest and best bid was provided by JK Custom Homes, LLC in the amount of \$387,000.00.

SECTION 2: The City Manager and the Service Director recommend City Council accept the bid of JK Custom Homes, LLC as the lowest and best bid for the expansion and remodeling of the City of Oxford's Fire Station at a cost of \$387,000.00 and authorize the City Manager to enter into a contract with JK Custom Homes, LLC for the expansion and remodeling of the City of Oxford's Fire Station at a cost of \$387,000.00 plus a contingency amount of ten percent (10%) of the contract price or \$38,700.00 for a total cost not to exceed \$425,700.00.

SECTION 3: City Council hereby accepts the recommendation of the City Manager and the Service Director and finds JK Custom Homes, LLC to be the lowest and best bidder and accepts the bid of \$387,000.00 for the expansion and remodeling of the City of Oxford's Fire Station.

SECTION 4: City Council hereby authorizes the City Manager to enter into a contract with JK Custom Homes, LLC for the expansion and remodeling of the City of Oxford's Fire Station at a cost of \$387,000.00 plus a contingency amount of ten percent (10%) of the contract price or \$38,700.00 for a total cost not to exceed \$425,700.00.

SECTION 5: The 2014 capital improvement budget includes \$650,000.00 for the expansion and remodeling of the City of Oxford's Fire Station.

SECTION 6: This resolution shall take effect at the earliest time allowed by law.

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** July 1, 2014

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

June 19, 2014

**Date Prepared:**

**PC-2014-06 ZONING CODE TEXT AMENDMENT - to Amend Chapter 1143 District, Section 1143.10(b)1.E.3.a., Uptown District Sidewalk Uses; Eliminating the Provision that the Use May not Extend More than five Feet into the Right-of-Way, Alan Kyger, City of Oxford, Applicant**

**Recommendation: Approval**

**Discussion:**

The Applicant wishes to remove the restriction of the 5 foot encroachment into the right of way to encourage and promote the use of sidewalks in front of Uptown businesses.

The rationale provided by Alan Kyger, Economic Development Director, for a Sidewalk Use permit is to allow first floor merchants to extend their business onto the sidewalk in a safe and inviting manner and enhance the ambience of the Uptown experience. Throughout the year, for a minimal fee, we have approximately 25 merchants who participate, taking advantage of this permit to extend their business as long as their business insurance covers the sidewalk portion and holds the City harmless, should injuries take place within the sidewalk portion they operate.

The proposal is to remove one stipulation from the code, so that the language is more in favor of businesses in the Uptown District. The existing language only allows for a five foot business extension into the right of way and requires a minimum five feet of unimpeded sidewalk adjacent to the sidewalk use. The recommended language is to remove the limitation of a five feet extension into the right of way, but keep the minimum five feet of unimpeded sidewalk.

No other public comments were received. The Planning Commission spent a decent amount of time discussing the verbiage of the amendment. The changes recommended by the Planning Commission are highlighted in a different color for clarification purposes. After the public hearing, the Commission voted 4-0-0 to approve the requested text amendment application.

**Approved By:**

**Department Head:**

**City Manager:**

*JHC* 6/24/14  
*JRC* 6/27/14

## ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.10 ENTITLED UPTOWN DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.10 ENTITLED UPTOWN DISTRICT.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on June 10, 2014 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.10 entitled Uptown District, and adopting new Oxford Codified Ordinance Section 1143.10 entitled Uptown District.

SECTION II: Council hereby repeals Section 1143.10 of the Oxford Codified Ordinances and adopts new Section 1143.10 as follows: (deletions are struck through and additions are bolded)

### **1143.10 UPTOWN DISTRICT.**

(a) Purpose. The purpose of this district is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner.

(b) Uses.

(1)

#### Permitted uses.

- A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.
- B. Retail services shall not exceed 10,000 square feet of floor area on any given floor.
  - 1. Apparel and jewelry.
  - 2. Bars and establishments serving alcohol.
  - 3. Books, stationery, newspapers, magazines, office equipment and office supply stores.
  - 4. Drugs and pharmaceuticals.
  - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
  - 6. Flowers, potted plants, and garden supplies.
  - 7. Hardware, paint, home furnishings, and other home improvements products.
  - 8. Optical aids.
  - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
  - 10. Restaurants, not including drive-in.
  - 11. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.
- C. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.
  - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
  - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.

3. Barber and beauty shops.
4. Cleaners, including dry cleaning and laundromats.
5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
6. Offices for nonprofit, charitable, labor, and other service organizations.
7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

D. Accessory buildings incidental to the principal use.

E. Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
  - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
  - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
  - a. ~~The use may not extend more than five feet into the right-of-way; and~~
  - a.b. The use may not result in less than five feet of **open and unobstructed public** ~~unimpeded~~ sidewalk adjacent to the sidewalk use. ~~(street trees, parking meters, street sign poles, and the like are impediments); and~~
  - b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford **shall be** ~~is~~ **a named as an additional** insured upon such liability policy; and
  - c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
  - d.e. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
  - e.f. All materials shall be lightweight and easily

- removable; and
      - f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
      - g.h. All illumination shall be confined within the perimeter of the use; and
      - h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
    - 4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
    - 5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
    - 6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.
  - (2) Conditional Uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
    - A. Retail services:
      - 1. Any permitted retail use that exceeds 10,000 sq. ft. on any given floor.
      - 2. Banks with drive-through facilities.
      - 3. Building supplies, garden supplies.
      - 4. Temporary or outdoor sales of plants and garden supplies.
      - 5. Retail uses which do not provide a minimum ratio of 0.7:1 of the lot area.
      - 6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
    - B. Personal and public services:
      - 1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
      - 2. Cultural institutions, including libraries, art galleries and museums.
      - 3. Hotels and motels.
      - 4. Places of worship.
      - 5. Funeral homes.
      - 6. Night clubs, discotheques, and other entertainment facilities.
      - 7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
      - 8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
    - C. Other uses.
      - 1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
      - 2. Community-Oriented Residential Social Service Facilities (CORSSF's).
      - 3. Shared Housing and Congregate Housing for the elderly.
      - 4. Government owned and/or operated parks and recreation facilities.
      - 5. Bed and breakfast homes.
      - 6. Publicly owned and operated neighborhood recreation centers.

7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

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

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

(2) Yard requirements.

Front Yard

16.5 feet minimum except \* On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard

none except \* Adjacent to a residential district 10 feet minimum

Side Yard

none except \* Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade  
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)

a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:

- i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

- a. Be associated with the first floor commercial occupant,
- b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.
- c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

- i. Outdoor patios, decks and balconies for residential use shall be computed into the maximum 2:1 ratio.

(4) Maximum Residential Density.

- A. Occupancy shall be limited to one person per 200 square feet of lot area.

SECTION III:

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

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

|                                                    |                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | July 1, 2014                                                                                                                                                                                                                                                                                                    |
| <b><u>Case Number</u></b>                          | PC-2014-06                                                                                                                                                                                                                                                                                                      |
| <b><u>Applicant Information</u></b>                | Alan Kyger                                                                                                                                                                                                                                                                                                      |
| <b><u>Requested Action</u></b>                     | Zoning Code Text Amendment                                                                                                                                                                                                                                                                                      |
| <b><u>Summary of Request</u></b>                   | <b>PC-2014-06 ZONING CODE TEXT AMENDMENT</b> to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, <b>Alan Kyger, Applicant</b>                                         |
| <b><u>Public Hearing Information</u></b>           | On June 10, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 9, 2014.                                                                                                                                                                   |
| <b><u>Commission Action</u></b>                    | The Planning Commission voted 4-0-0 recommending approval to City Council.                                                                                                                                                                                                                                      |
| <b><u>Commission Findings and Conclusions</u></b>  | The Planning Commission recommended this Zoning Code Text Amendment for approval. After much discussion, the Planning Commission agreed to remove the five foot encroachment into the right-of-way, but that the language also state "that the public sidewalk, adjacent to the sidewalk use, is unobstructed". |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report dated May 28, 2014, with Original Proposed Language</li><li>2. Proposed Language to City Council</li><li>3. Interoffice Reviews</li><li>4. Zoning Code Text Amendment Application dated April 23, 2014</li></ol>                                          |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**  
**Planning Commission**

**Case # PC-2014-06**

**Date – June 10, 2014**

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**APPLICATION**

|                 |                                                                                                                                                                                                                                                                             |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant:      | City of Oxford                                                                                                                                                                                                                                                              |
| Action Request: | <b>ZONING CODE TEXT AMENDMENT</b> to Amend Chapter 1143 Districts, Section 1143.10(b)1.E.3.a., Uptown District Sidewalk Uses; Eliminating the Provision that the Use May Not Extend More than Five Feet into the Right of Way, <b>Alan Kyger, City of Oxford, Applicant</b> |

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**DESCRIPTION**

The Applicant wishes to remove the restriction of the 5 foot encroachment into the right of way to encourage and promote the use of sidewalks in front of Uptown businesses.

**ZONING CODE**

The attached text amendment illustrates changes to Chapter 1143.10(b)1.E.3.a., for your information.

**COMPREHENSIVE PLAN**

Not applicable

**AGENCY REVIEWS**

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

|              |                                 |
|--------------|---------------------------------|
| Police:      | No comment                      |
| Fire:        | Comment received. See attached. |
| Engineering: | No comment                      |
| Econ. Dev.   | No comment                      |

**DECISION CRITERIA**

A copy of the Text Amendment Decision Criteria is attached.

**ANALYSIS**

The rationale provided by Alan Kyger, Economic Development Director, for a Sidewalk Use permit is to allow first floor merchants to extend their business onto the sidewalk in a safe and inviting manner and enhance the ambience of the Uptown experience. Throughout the year, for a minimal fee, we have approximately 25 merchants who participate, taking advantage of this permit to extend their business as long as their business insurance covers the sidewalk portion and holds the City harmless, should injuries take place within the sidewalk portion they operate.

Alan Kyger, Economic Development Director, sampled similar regulations from other communities and found that other communities have a less stringent regulation in place. This prompted a text amendment to be considered by the Planning Commission.

The proposal is to remove one stipulation from the code, so that the language is more in favor of businesses in the Uptown District. The existing language only allows for a five feet business extension into the right of way and requires a minimum five feet of unimpeded sidewalk adjacent to the sidewalk use. The recommended language is to remove the limitation of a five feet extension into the right of way, but keep the minimum five feet unimpeded sidewalk.

The Fire Chief raised some concerns about unobstructed access to a public way. Please see his comment attached.

**RECOMMENDATION**

Staff does not have any objections to the proposed amendment.

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SUBMITTED

BY: Jung-Han Chen  
Jung-Han Chen  
Community Development Director

DATE: May 28, 2014

## ATTACHMENT

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

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

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

### Text Amendments

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

1143.10 Uptown District

E.

Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
  - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
  - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
  - ~~a. The use may not extend more than five feet into the right-of-way; and~~
  - ~~a.b. The use may not result in less than five feet of unimpeded sidewalk adjacent to the sidewalk use (street trees, parking meters, street sign poles, and the like are impediments); and~~
  - ~~b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford is a named insured upon such liability policy; and~~
  - ~~c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and~~
  - ~~d.e. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and~~
  - ~~e.f. All materials shall be lightweight and easily removable; and~~
  - ~~f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and~~
  - ~~g.h. All illumination shall be confined within the perimeter of the use; and~~
  - ~~h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.~~
4. The City Manager or designee shall require removal of anything or correction of any condition associated with a

sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.

5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

Planning Commission Changes June 10, 2014

1143.10 Uptown District

E. Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
  - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
  - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
  - a. ~~The use may not extend more than five feet into the right-of-way; and~~
  - a.b. The use may not result in less than five feet of open and unobstructed public unimpeded sidewalk adjacent to the sidewalk use. ~~(street trees, parking meters, street sign poles, and the like are impediments); and~~
  - b.e. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall ~~be~~ is a named as an additional insured upon such liability policy; and
  - c.d. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
  - d.e. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
  - e.f. All materials shall be lightweight and easily removable; and
  - f.g. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
  - g.h. All illumination shall be confined within the perimeter of the use; and
  - h.i. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.

sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.

5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-2014-06 ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

  X   Review        Revisions        Other

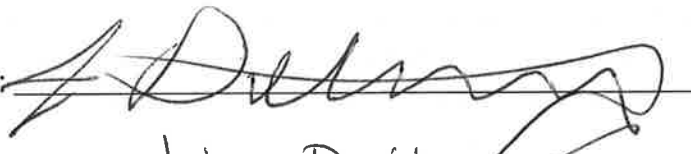
Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

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

*See attached.*

Drawings reviewed by:

  
John Dethunage  
PRINTED NAME

Date: 5-27-14

# Memo

**To:** Community Development  
**From:** John Detherage, Fire Chief  
**CC:** N/A  
**Date:** 5/27/2014  
**Re:** PC-2014-06

---

Since this change could result in increased obstacles being added to the right-of-way, please be aware of the following Ohio Fire Code sections that could be of concern.

**1027.6 Access to a public way.** The exit discharge shall provide a direct and unobstructed access to a public way.

(There can be no obstructions between the exit door and the clear path of the sidewalk)

**912.3 Access.** Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire *code official*.

(The fire department connection cannot be blocked by any object)

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-2014-06 ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

  X   Review               Revisions               Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned:    w/comments    without/comments

Drawings reviewed by: 

Date: 5-19-14

VICTOR POPESCU

PRINTED NAME





City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-2014-06 ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

  X   Review             Revisions             Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned:    w/comments    without/comments

Drawings reviewed by: \_\_\_\_\_

Date: 5/19/2014

ROBERT B. HOLZWORTH

PRINTED NAME

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-2014-06 ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143 Districts, Section 1143.10(b)(1)E.3.a., Uptown District sidewalk uses; eliminating the provision that the use may not extend more than five feet into the right of way, **Alan Kyger, Applicant**

  X   Review             Revisions             Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned:    w/comments    without/comments

Drawings reviewed by: 

Date: 5-19-2014

G. ALAN KYGER  
PRINTED NAME

**Zoning Code Text Amendment Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION**

Name of Applicant: G. ALAN KYGER  
(Attach a Letter of Agency if the applicant is not the property owner.)  
Mailing Address: 6164 CONTRERAS RD.  
OXFORD OH 45056  
Telephone Number(s): 513-523-1453  
Email Address: AKYGER64@GMAIL.COM

**SUBMISSION REQUIREMENTS**

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

All applications must include:

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

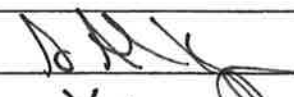
**Planning Commission and Council Review** The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision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

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

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

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

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

SIGNATURE OF APPLICANT:  Date: 4-23-14

PRINTED NAME: G. ALAN KYGER

**FEE / RECEIPT**

\$150 Fee plus Actual Postage Paid / Receipt Number: 19814.20

## Zoning Code Text Amendment Application

I am requesting line item 1143.10 (b)<sup>1</sup>E. 3. a. be eliminated.

### 1143.10 Uptown District

#### (b) Uses

##### E. Sidewalk Uses

3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions.

a. ~~The use may not extend more than five feet into the right of way;~~  
and

b. The use may not result in less than five feet of unimpeded sidewalk adjacent to the sidewalk use. (street trees, parking meters, street sign poles, and the like are impediments); and

Background: The sidewalk and setback area in the Uptown District is typically 16 ½ feet. Most of High Street consists of 16 ½ feet of public ROW sidewalks. On the side streets the 16 ½ foot area is typically a public ROW sidewalk with either a private sidewalk or green space area.

This change will further encourage and promote the use of the sidewalks in front of Uptown businesses by increasing the usable space, while still requiring a minimum five feet of un-obstructed open area for pedestrian traffic.

The rational for my request is twofold.

1. While 1143.10 (b) E 3 a. & b. are not in direct conflict with each other, they don't seem to both be needed.
  - a. States the use may not extend more than five feet into the right of way. This leaves approximately eleven and a half feet of open area, (less trees, signs, etc.).
  - b. States five feet of open sidewalk must remain. This leaves approximately eleven and a half feet of area for side walk use, (less trees, signs, ect.).

So while you can possibly use up to eleven & a half feet of the sidewalk for commercial use, you cannot use over five feet abutting the building. When a chair is pulled out from a table so that both exceed five feet it is in violation, even if there is eight to ten feet of open sidewalk beyond the chair. This also applies if a six foot umbrella is placed over the table.

2. A quick sampling of other communities sidewalk use permits did not reveal the double standard provided in Oxford's code.

|                   |                                                      |
|-------------------|------------------------------------------------------|
| Bowling Green, OH | Minimum 5' un-obstructed area.                       |
| Athens, OH        | Occupied area needs to be within 5' of the building. |
| Bloomington, IN   | Clear pathway of 54" (4' 4")                         |
| St Charles, IL    | Minimum 5' un-obstructed area.                       |
| Wyoming, OH       | Minimum 5' un-obstructed area.                       |
| Harrisburg, VA    | Minimum 5' un-obstructed area.                       |
| Hyannis, MA       | Minimum 6' between café and curb.                    |
|                   | Minimum 5' between café and trees, signs trash ect.  |

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** July 1, 2014

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

June 18, 2014

**Date Prepared:**

**PC-2014-05 ZONING MAP AMENDMENT - Zoning Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and the northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002. City of Oxford, Applicant**

**Recommendation: Approval**

**Discussion:**

This is part of City Council's goal to capture City income tax revenue from sites that are contiguous to the City's corporate boundary and have been receiving City water and/or sanitary services. This is one of the areas that was identified as a potential area for annexation along U.S. 27 North.

City Council approved the annexation petition of this area on May 6, 2014, with the passage of Ordinance # 3272. Please note that these parcel numbers will eventually be different after the Butler County Auditor's Office receives an official copy of the annexation approval from the Clerk of Council.

These parcels are generally known as Gillman Home Centers and Rentals and Koenig Equipment, along with a vacant lot at the intersection of Todd Road and U.S. 27. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary who have been receiving municipal water and/or sanitary services. This was one of the areas identified as eligible to be annexed into the City. This Map Amendment merely changes the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur. Therefore, the new zoning will be "GB" General Business District

A neighbor came to the meeting for clarification regarding whether her property was annexed into the city and whether the road would be maintained as it had been before. The City Attorney will consult with the Service Director on this matter.

No other public comments were received. After the public hearing, the Commission voted 4-0-0 to approve the request rezoning application.

**Approved By:**

**Department Head:**

**City Manager:**

*JH Chen 6/24/14*  
*DGE 6/27/14*

## **ORDINANCE NO.**

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY 33.55 ACRES OF LAND LOCATED ALONG U.S. 27 NORTH, NORTH AND WEST OF THE INTERSECTION OF TODD ROAD AND RINGWOOD ROAD, INCLUDING THE RIGHT-OF-WAY OF RINGWOOD ROAD AND THE NORTHERN HALF OF U.S. 27 AND THE WESTERN HALF OF TODD ROAD, ADJACENT TO PARCEL H3610016000002 IN OXFORD, OHIO, AND REZONING THE PROPERTY FROM BUTLER COUNTY ZONING CLASSIFICATION TO GENERAL BUSINESS (GB) DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on June 10, 2014 at 7:30 p.m., on the City of Oxford's application for a Zoning Map Amendment for approximately 33.55 acres of land located along U.S. 27 North, north and west of the intersection of Todd Road and Ringwood Road, including the right-of-way of Ringwood Road and the northern half of U.S. 27 and the western half of Todd Road, adjacent to parcel H3610016000002 in Oxford, Ohio, and rezoning the property from Butler County Zoning Classification to General Business (GB) District.

SECTION 2: The Oxford Planning Commission, after due deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was consistent with the zoning designations as assigned to the property by Butler County.

SECTION 3: The Planning Commission found the request does comply with the intent of the Oxford Codified Ordinances and the Oxford Comprehensive Plan.

SECTION 4: Council hereby accepts the report of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment rezoning the property located along U.S. 27 North, north and west of the intersection of Todd Road and Ringwood Road, including the right-of-way of Ringwood Road and the northern half of U.S. 27 and the western half of Todd Road, adjacent to parcel H3610016000002 in Oxford, Ohio, and rezoning the property from Butler County Zoning Classification to General Business (GB) District.

SECTION 5: Council hereby grants the rezoning request for the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

---

MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | July 1, 2014                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Case Number</u></b>                          | PC-2014-05                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b><u>Applicant Information</u></b>                | City of Oxford                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b><u>Requested Action</u></b>                     | Zoning Map Amendment                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b><u>Summary of Request</u></b>                   | <p>Zoning Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002.</p> |
| <b><u>Public Hearing Information</u></b>           | <p>On June 10, 2014 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on May 9, 2014. Public Hearing notices were mailed out to surrounding properties on May 6, 2014.</p>                                                                                                                                                                                                    |
| <b><u>Commission Action</u></b>                    | <p>The Planning Commission voted 4-0-0 recommending approval to City Council.</p>                                                                                                                                                                                                                                                                                                                                                        |
| <b><u>Commission Findings and Conclusions</u></b>  | <p>The Planning Commission voted to approve the Zoning Map Amendment, agreeing with City Council's goal to capture revenue from properties that receive city water and/or sanitary services. The Planning Commission understood that this area was identified as eligible to be annexed into the City.</p>                                                                                                                               |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report Dated May 27, 2014</li><li>2. Zoning Map Amendment Application Dated April 7, 2014</li><li>3. Inter-Office Review Transmittal Sheets</li><li>4. Annexation Plat</li><li>5. Ordinance No. 3272 Accepting the Annexation Petition and Exhibits A, B, and C</li><li>6. Legal Description</li><li>7. Property Notifications Map</li></ol>                                              |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**

**Planning Commission**

**Case # PC-05-2014**

**Date – June 10, 2014**

---

**APPLICATION**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant:      | City of Oxford                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Action Request: | Zone Map Amendment to amend the zoning designation of certain property, approximately 33.55 acres of continuous area located along U.S 27 North, north and west of the intersections of Todd and Ringwood Roads from Butler County classification to General Business (GB) District. This includes the Right-of-Way of Ringwood and northern half of U.S. 27 and western half of Todd Road, adjacent to parcel H3610016000002. |
| Address:        |                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Parcels:        | Currently H3610016000040, and H3610016000002, and H3610016000043 and related Right-of-Way.                                                                                                                                                                                                                                                                                                                                     |

---

**DESCRIPTION**

This is part of City Council's goal to capture City income tax revenue sources from sites that are contiguous to the City's corporate boundary and have been receiving City water and/or sanitary services. This is one of the areas that were identified as a potential area for annexation along U.S. 27 North.

City Council approved the annexation petition of this area on May 6, 2014, with the passage of Ordinance # 3272. Please note that these parcel numbers will eventually be different after the Butler County Auditor's Office receives an official copy of the annexation approval from the City Clerk of Council.

Please refer to the attached map for the location of these parcels and the related Right-of-Way.

**SURROUNDING NEIGHBORHOOD**

The municipal zoning in the vicinity of this site is "GB" District along U. S. 27 North.

**COMPREHENSIVE PLAN**

Continue to Manage Growth

To maintain the community's small college town character will be preserved and enhanced.

Future growth at the edge of the city will preserve open space; protect the area's rural character in consideration of township land use.

**AGENCY COMMENTS**

|        |                          |
|--------|--------------------------|
| Fire   | Returned without comment |
| Police | Returned without comment |

Engineering  
Economic Development

Returned without comment  
Returned with comment in agreement with the recommended  
classification

## **PUBLIC COMMENT FORMS**

No comments have been received to date.

## **STAFF ANALYSIS**

These parcels are generally known as Gillman Home Centers and Rentals and Koenig Equipment, along with a vacant lot at the intersection of Todd Road and U.S. 27. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary who have been receiving municipal water and/or sanitary services. This was one of the areas identified as eligible to be annexed into the City. This Map Amendment merely changes the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur. Therefore, the new zoning will be "GB" General Business District.

## **RECOMMENDATION**

Not Applicable.

---

SUBMITTED

BY: Jung-Han Chen  
Jung-Han Chen  
Community Development Department

DATE: May 27, 2014

**Zoning Map Amendment Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION**

Name of Applicant: City of Oxford  
(Attach a Letter of Agency if the applicant is not the property owner.)  
Mailing Address: 101 E High Street  
Telephone Number(s) \_\_\_\_\_ Email Address \_\_\_\_\_  
Location of Property: \_\_\_\_\_  
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)  
Legal Description: \_\_\_\_\_  
Total Area: \_\_\_\_\_ Acres / Square Feet (circle one)  
Existing Use of Property: \_\_\_\_\_  
Current Zoning: County  
Proposed Zone(s): GB  
Proposed Use: \_\_\_\_\_

**SUBMISSION REQUIREMENTS**

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website ([www.butlercountyoio.org/auditor](http://www.butlercountyoio.org/auditor)) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. \*Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

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

SIGNATURE OF APPLICANT: \_\_\_\_\_

Date: 4/7/14

PRINTED NAME: Jung-Han Chen

**FEE / RECEIPT**

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

**REQUIRED SUBMISSION DOCUMENTS TABLE**

**Zoning Map Amendment**

| #  | REQUIRED ITEM DESCRIPTION                                                                                                                                                                                                                                           | HAVE | NEED |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| 1  | The name, mailing address, and telephone number of the applicant.                                                                                                                                                                                                   |      |      |
| 2  | Letter of Agency.                                                                                                                                                                                                                                                   |      |      |
| 3  | Vicinity map showing general location in City.                                                                                                                                                                                                                      |      |      |
| 4  | A general description of the proposed amendment.                                                                                                                                                                                                                    |      |      |
| 5  | Description of existing use(s).                                                                                                                                                                                                                                     |      |      |
| 6  | North point, scale and date.                                                                                                                                                                                                                                        |      |      |
| 7  | Metes and bounds description of the property to be rezoned (Legal Description).                                                                                                                                                                                     |      |      |
| 8  | Map including the property lines, streets, existing and proposed zoning.                                                                                                                                                                                            |      |      |
| 9  | The proposed zoning of the area.                                                                                                                                                                                                                                    |      |      |
| 10 | Required Fee.                                                                                                                                                                                                                                                       |      |      |
| 11 | Provide the names and addresses of all adjoining property owners within 200 feet of every parcel proposed to be rezoning, including those across streets, roads, alleys and highways.                                                                               |      |      |
| 12 | Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.                                                                                                                       |      |      |
| 13 | Attach a statement which responds to the following questions:                                                                                                                                                                                                       |      |      |
|    | 1) What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?                                                                                                                                                                 |      |      |
|    | 2) How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.                                                                                                                       |      |      |
|    | 3) How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?                                                                                                                                   |      |      |
|    | 4) What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes). |      |      |
|    | 5) Why is the current zoning classification of the property no longer appropriate?                                                                                                                                                                                  |      |      |
| 14 | Annexation Agreement (If Applicable)                                                                                                                                                                                                                                |      |      |

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



John Detherage  
PRINTED NAME

Date: 5-20-14



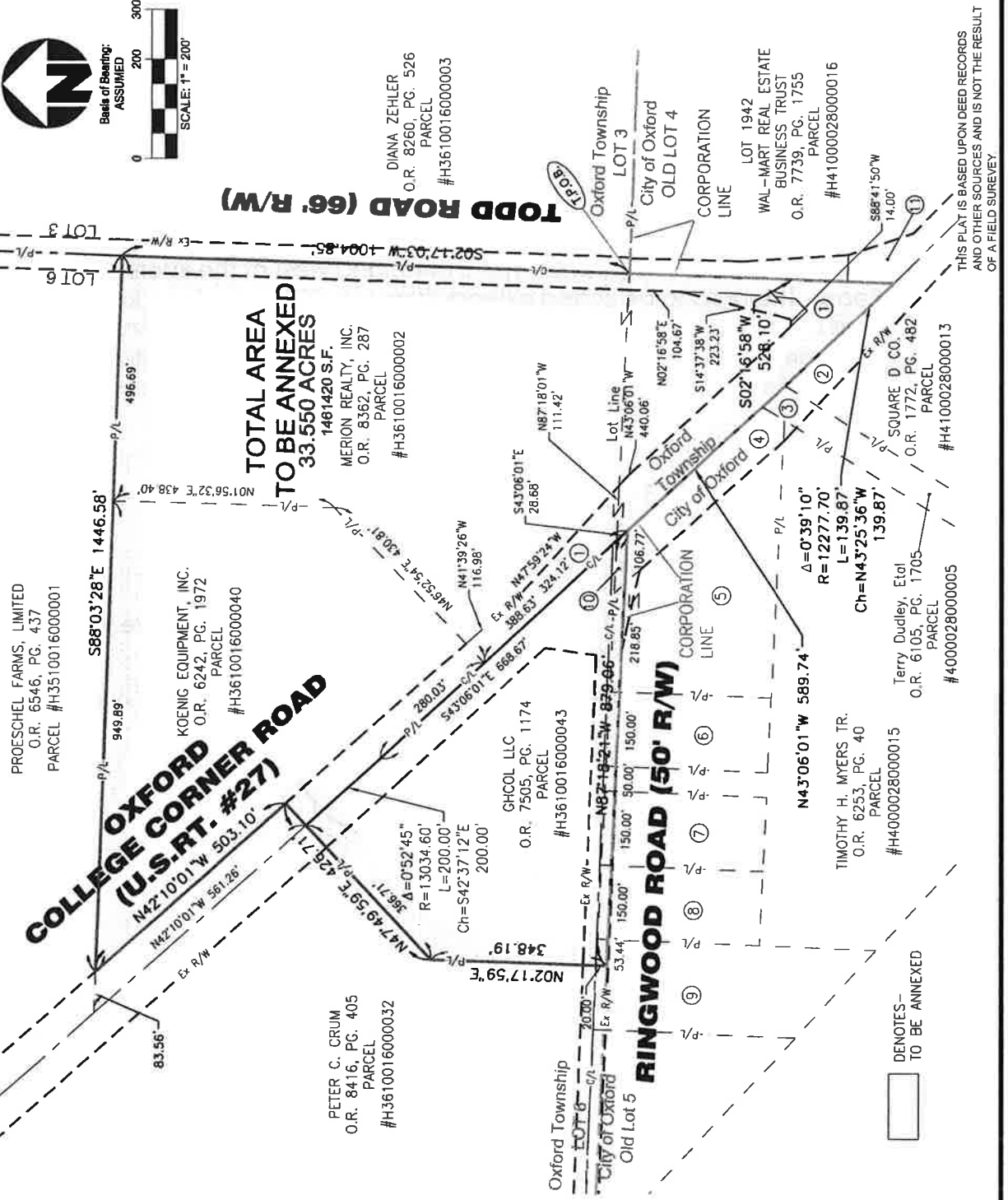
Basis of Bearing:  
ASSUMED



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

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

|             |               |
|-------------|---------------|
| Drawing:    | 120048-000-AX |
| Scale:      | 1" = 200'     |
| Drawn by:   | DDS           |
| Checked by: | BRJ           |
| Issue Date: | 9-03-13       |



DENOTES-  
TO BE ANNEXED

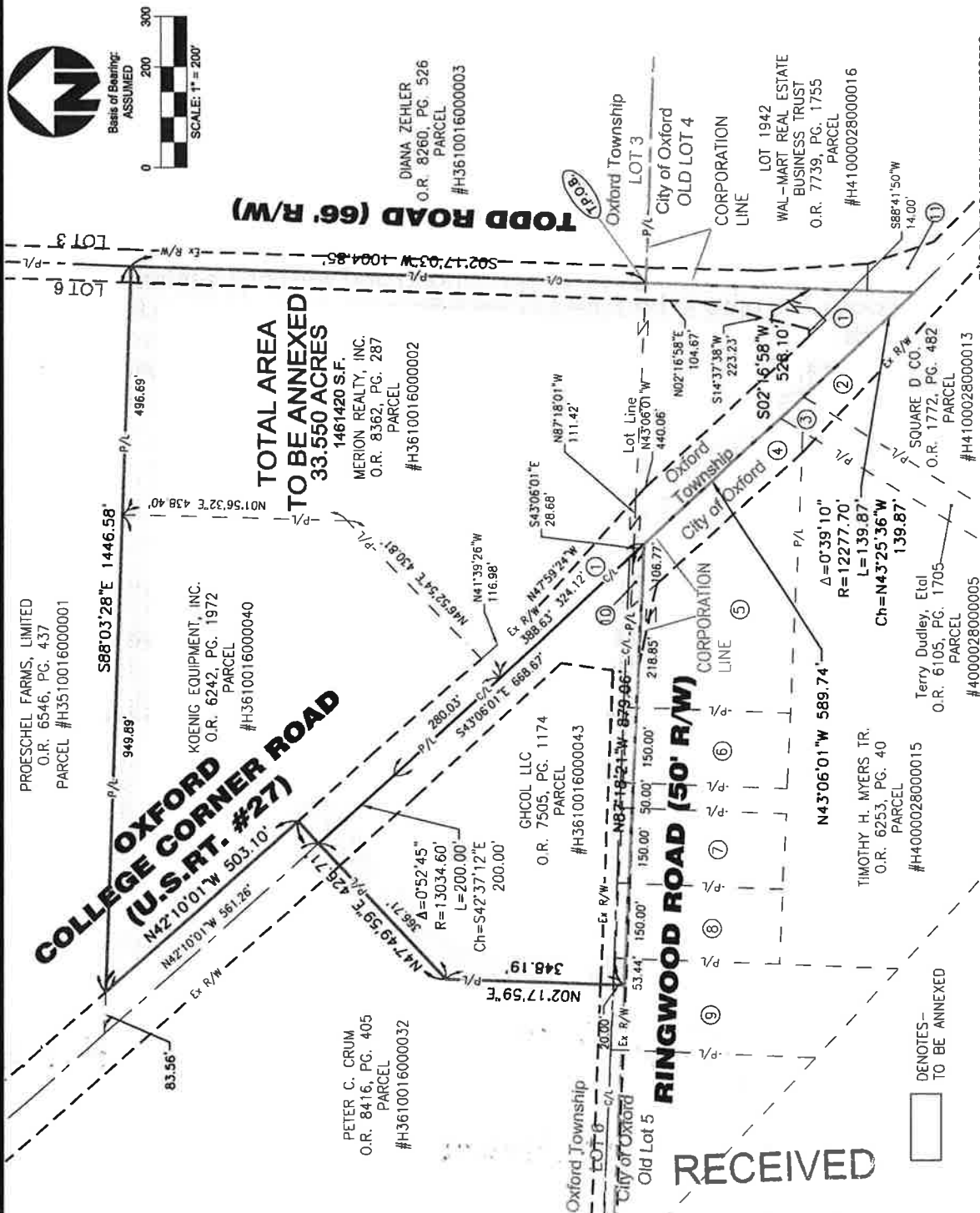
THIS PLAT IS BASED UPON DEED RECORDS  
AND OTHER SOURCES AND IS NOT THE RESULT  
OF A FIELD SURVEY

PRINTED NAME

PART OF ORIGINAL LOTS #6 AND #6  
SECTION 16, TOWN 5, RANGE 1  
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

|             |               |
|-------------|---------------|
| Drawing:    | 12D048-000 AX |
| Scale       | 1" = 200'     |
| Drawn by:   | DDS           |
| Checked By: | BRJ           |
| Issue Date: | 9-03-13       |

**SHEET 1**



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

RECEIVED

MAY 15 2014

City of Oxford  
Service Department

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



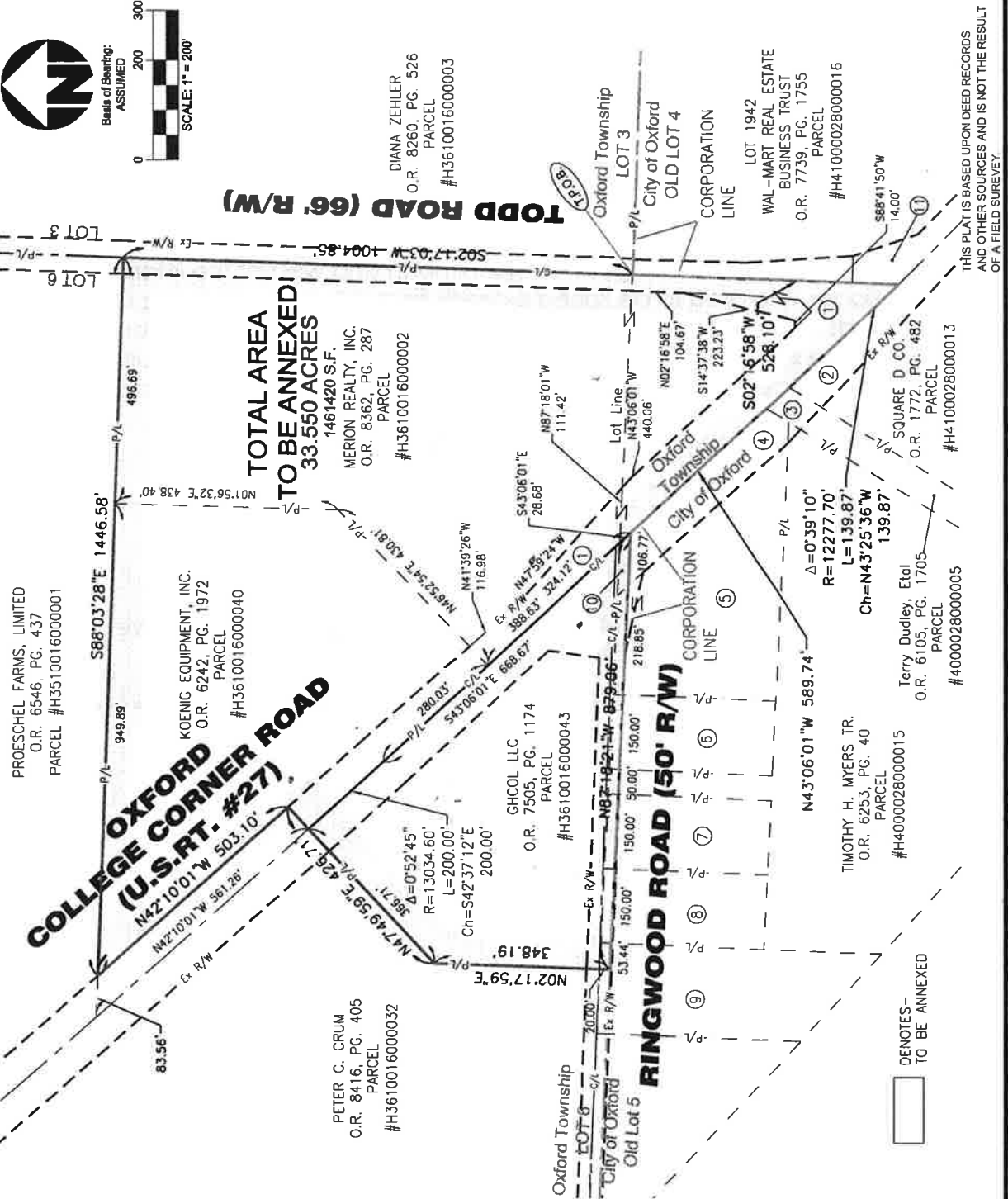
Date: 5/19/2014

ROBERT B. HOLZWORTH  
PRINTED NAME

ANNEXATION PLAT

|       |      |    |
|-------|------|----|
| 00 AX | DDSD | BR |
| = 200 |      |    |

**HEET**



City of Oxford  
Inter-Office Review Transmittal Sheet

Date: May 15, 2014

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

A rezoning of lands to be annexed into the City of Oxford, currently zoned Butler County zoning designations, is proposed to be zoned City of Oxford General Business District ("GB"). The land is 33.55 acres, located along U.S. 27 North, north and west of the intersections of Todd and Ringwood Roads. The area to be zoned extends from U.S. 27 North along Ringwood Road 879.06 feet, extends from U.S. 27 North along Todd Road 1,004.85 feet, and along U.S. 27 North 1,761.51 feet from the intersection of Todd Road. The complete survey description is available upon request in the office of the City of Oxford Community Development Department, **City of Oxford, Applicant**

  X   Review               Revisions               Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **06/02/2014** Note: If no comments are received, we will assume the project meets your department's standards.

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

*I AGREE.*

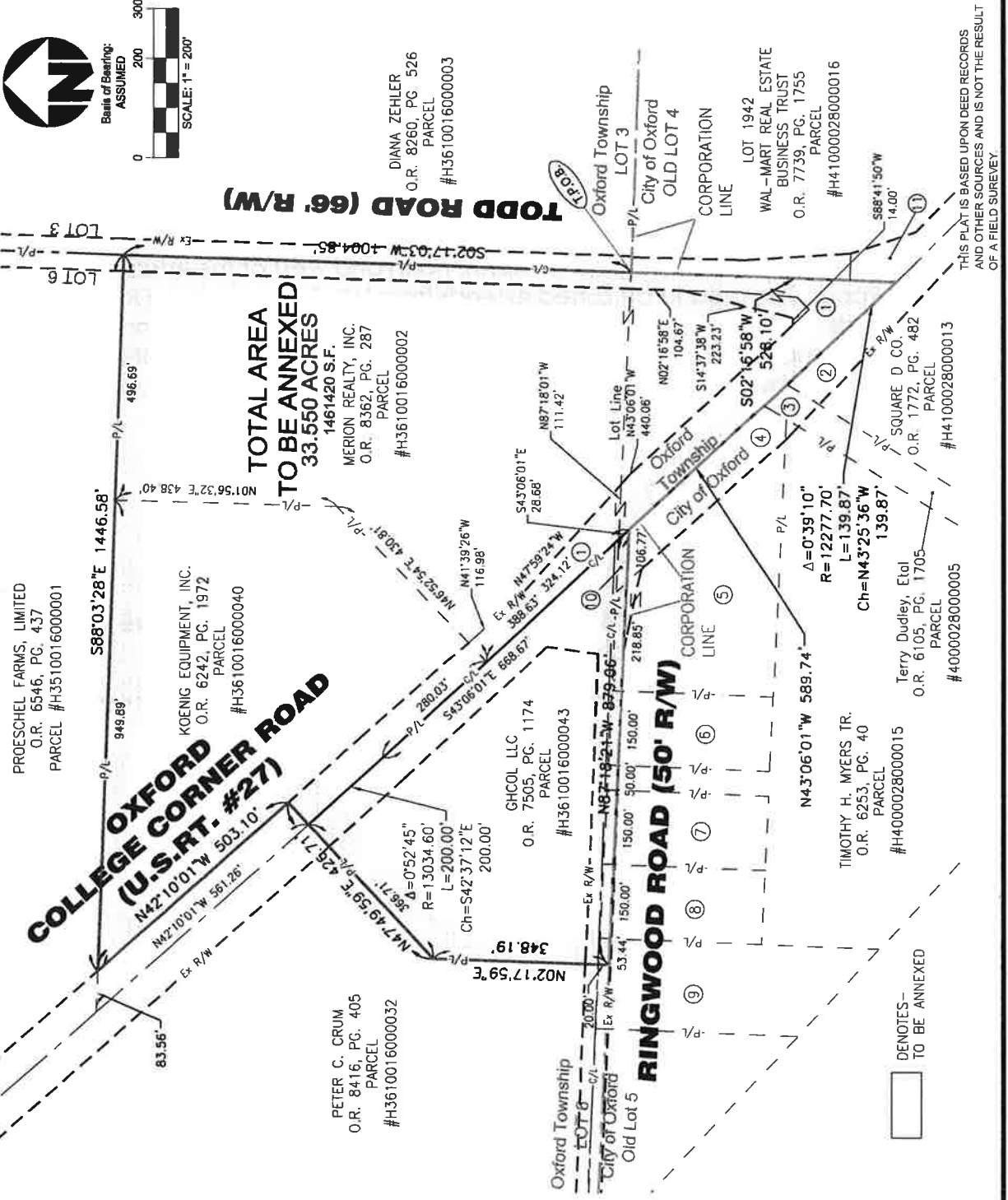
Drawings reviewed by: *[Signature]*

Date: 5-19-14

*G. Allen Ryan*  
PRINTED NAME



Basis of Bearings:  
ASSUMED  
SCALE: 1" = 200'



**bayer**  
318 S. College Avenue  
Oxford, OH 45056-513523.4270

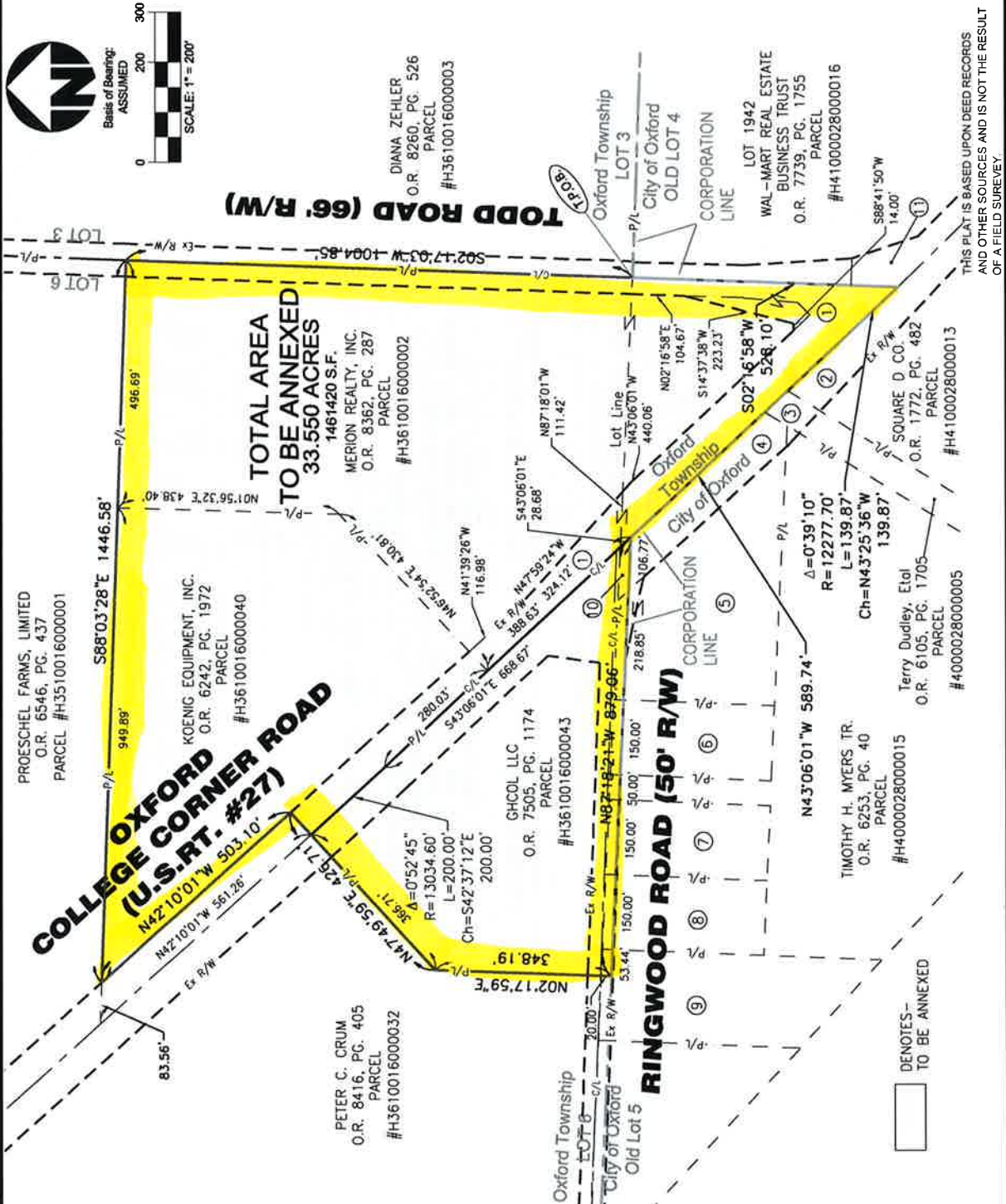
**OXFORD-COLLEGE CORNER RD.  
U.S. ROUTE #27, TODD RD. AND RINGWOOD RD.**  
PART OF ORIGINAL LOTS #5 AND #6  
SECTION 16, TOWN 5, RANGE 1  
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO  
ANNEXATION PLAT

Drawing: 12D048-000-AX  
Scale: 1" = 200'  
Drawn by: DDS  
Checked by: BRJ  
Issue Date: 9-03-13

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

## ANNEXATION PLAT

**SHEET 1**





318 S. College Avenue

Oxford, OH 45056 - 513.523.4270

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

|             |               |
|-------------|---------------|
| Drawing:    | 12D048-000 AX |
| Scale:      | 1" = 200'     |
| Drawn by:   | DDS           |
| Checked By: | BRJ           |
| Issue Date: | 9-03-13       |

| ADJOINERS                                                                                                        |                                                                                                   |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| ② CITY OF OXFORD<br>O R 8209, PG 707<br>PARCEL #H4100028000023                                                   | WAL-MART REAL ESTATE<br>BUSINESS TRUST<br>O R 7739, PG 1755<br>LOT 1942<br>PARCEL #H4000028000016 |
| ③ CITY OF OXFORD<br>O R 8229, PG 879<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000024                | PETER C. CRUM<br>O R 8416, PG 405<br>PARCEL #H3610016000032                                       |
| ④ CITY OF OXFORD<br>O R 8113, PG 2303<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000018               | ① PROESCHEL FARMS LIMITED<br>O R 6546, PG 437<br>PARCEL #H3510016000001                           |
| FIRST BAPTIST CHURCH OF OXFORD<br>O R 6971, PG 1245<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000006 | DIANA ZEHLER<br>O R 8260, PG 526<br>PARCEL #H3610016000003                                        |
| JAMES E. & CAROLYN A. RATLIFF<br>O R 6401, PG 1768<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000014  | CITY OF OXFORD<br>O R 8153, PG 436<br>PART OF LOT 1942 CITY OF OXFORD<br>PARCEL #H4000028000022   |
| RINGWOOD PROPERTIES LTD.<br>O R 7278, PG 1348<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000012       |                                                                                                   |
| RINGWOOD PROPERTIES, LTD.<br>O R 8191, PG 1665<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000010      |                                                                                                   |
| IRVING MATERIALS INC.<br>D.B. 1741, PG 373<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000011          |                                                                                                   |

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

| OWNER INFORMATION                                                                                                                       |                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| ① OWNER: CITY OF OXFORD<br>O R 8300, PG 352<br>PARCEL #H3610016000044<br>2.252 ACRES                                                    | ⑨ OWNER: IRVING MATERIALS INC.<br>D.B. 1741, PG 373<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000011<br>0.025 ACRES |
| ⑤ OWNER: FIRST BAPTIST CHURCH<br>O R 6971, PG 1245<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000006<br>0.096 ACRES          | OWNER: KOENIG EQUIPMENT, INC.<br>O R 6242, PG 1972<br>PARCEL #H3610016000040<br>9.662 ACRES                                     |
| ⑥ OWNER: JAMES E. & CAROLYN A. RATLIFF<br>O R 6401, PG 1768<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000014<br>0.069 ACRES | OWNER: MERION REALTY, INC.<br>O R 8362, PG 287<br>PARCEL #H3610016000002<br>14.428 ACRES                                        |
| ⑦ OWNER: RINGWOOD PROPERTIES LTD.<br>O R 7278, PG 1348<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000012<br>0.069 ACRES      | OWNER: GHCOL LLC<br>O R 7505, PG 1174<br>PARCEL #H3610016000043<br>6.756 ACRES                                                  |
| ⑧ OWNER: RINGWOOD PROPERTIES<br>O R 8191, PG 1665<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4100028000010<br>0.069 ACRES           | ⑩ OWNER: CITY OF OXFORD<br>O R 8113, PG 2303<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000018<br>0.049 ACRES        |
|                                                                                                                                         | OWNER: TIMOTHY H. MYERS TR.<br>O R 6253, PG 40<br>PART OF LOT 1943 CITY OF OXFORD<br>PARCEL #H4000028000015<br>0.005 ACRES      |

PERCENTAGE OF CONTIGUOUS = 36.0%

## **ORDINANCE NO. 3272**

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

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

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

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

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

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

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

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

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.

  
MAYOR

ADOPTED: May 6, 2014

ATTEST:

  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

**RESOLUTION NO. 4806**

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

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

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

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

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

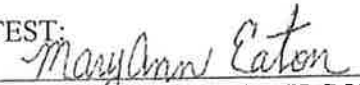
SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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

  
MAYOR

ADOPTED: January 7, 2014

ATTEST:

  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

EXHIBIT 'B'

1 of 2

Date: December 10, 2013  
Description: 33.550 Acres  
Annexation  
Location: U.S. Route. # 27, Todd Road and  
Ringwood Road  
Oxford Township, Butler County



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

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

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

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

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

(b) (5) DPP, (b) (5) ACP, (b) (5) AWP

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

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

318 South College Avenue  
Oxford, Ohio 45058  
513-523-4270

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

Engineering – Surveying – Landscape Architecture – Planning  
[www.bayerbecker.com](http://www.bayerbecker.com)

**EXHIBIT 'B'**

**2 of 2**

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

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

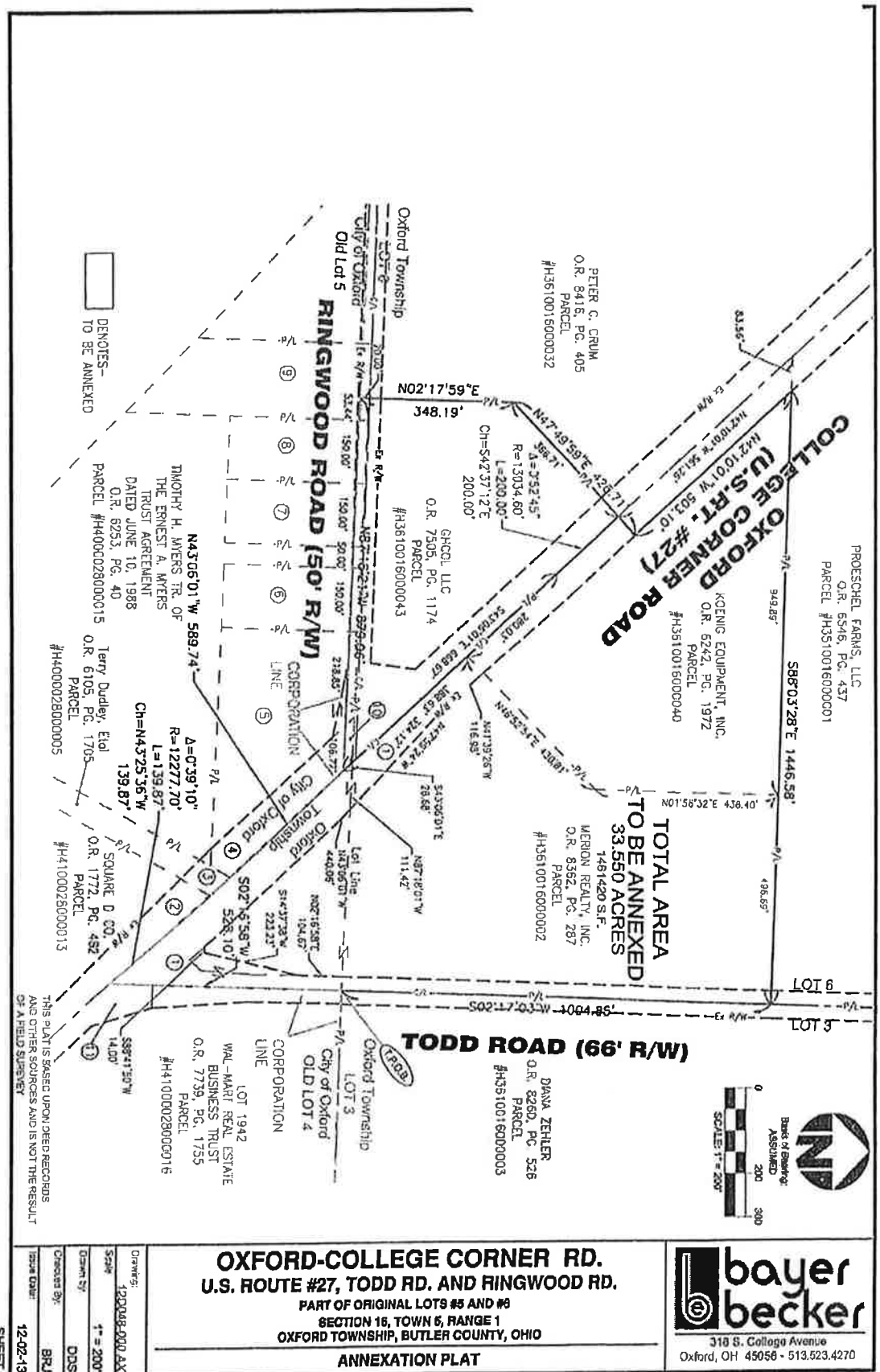
thence, continuing with said east line of Peter C. Crum, North 47° 49' 59" East, 426.71 feet to the northeast right of way of said Oxford College Corner Road (U.S. RT. #27) being in said lands of Koenig Equipment, Inc.;

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

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

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

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



OWNER INFORMATION

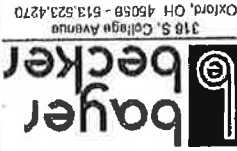
- ① OWNER: CITY OF OXFORD  
O.R. 8300, PG. 352  
PARCEL #H361001800004  
2.262 ACRES
- ⑤ OWNER: FIRST BAPTIST CHURCH  
O.R. 8971, PG. 1245  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000009  
0.096 ACRES
- ⑥ OWNER: JOHN T. RATLIFF  
O.R. 8635, PG. 1681  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000014  
0.069 ACRES
- ⑦ OWNER: RINGWOOD PROPERTIES LTD.  
O.R. 7276, PG. 1348  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000012  
0.069 ACRES
- ⑧ OWNER: RINGWOOD PROPERTIES  
O.R. 8191, PG. 1666  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000010  
0.069 ACRES
- ⑨ OWNER: IRVING MATERIALS INC.  
D.B. 1741, PG. 373  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000011  
0.025 ACRES
- ⑩ OWNER: KOENIG EQUIPMENT, INC.  
O.R. 6242, PG. 1972  
PARCEL #H3610018000040  
9.662 ACRES
- OWNER: MERION REALTY, INC.  
O.R. 9382, PG. 287  
PARCEL #H3610018000002  
14.428 ACRES
- OWNER: GHCOL LLC  
O.R. 7505, PG. 1174  
PARCEL #H3610018000043  
6.756 ACRES
- ⑪ OWNER: CITY OF OXFORD  
O.R. 8113, PG. 2303  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000019  
0.049 ACRES
- OWNER: TIMOTHY H. MYERS TR.  
OF THE ERNEST A. MYERS TRUST  
AGREEMENT DATED JUNE 10, 1988  
O.R. 6259, PG. 40  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000015  
0.005 ACRES

ADJOINERS

- ⑫ CITY OF OXFORD  
O.R. 8209, PG. 707  
PARCEL #H4100028000023
- ⑬ CITY OF OXFORD  
O.R. 8228, PG. 879  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000024
- ⑭ CITY OF OXFORD  
O.R. 8113, PG. 2303  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000018
- ⑮ FIRST BAPTIST CHURCH OF OXFORD  
O.R. 8971, PG. 1245  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000006
- ⑯ JOHN T. RATLIFF  
O.R. 8635, PG. 1681  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000014
- RINGWOOD PROPERTIES LTD.  
O.R. 7276, PG. 1348  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000012
- RINGWOOD PROPERTIES, LTD.  
O.R. 8191, PG. 1666  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000010
- IRVING MATERIALS INC.  
D.B. 1741, PG. 373  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4100028000011
- ⑰ CITY OF OXFORD  
O.R. 8159, PG. 436  
PART OF LOT 1942 CITY OF OXFORD  
PARCEL #H4100028000022
- TIMOTHY H. MYERS TR.  
OF THE ERNEST A. MYERS TRUST  
AGREEMENT DATED JUNE 10, 1988  
O.R. 6253, PG. 40  
PART OF LOT 1943 CITY OF OXFORD  
PARCEL #H4000028000015
- DIANA ZEHLER  
O.R. 8260, PG. 526  
PARCEL #H3610018000003
- ⑱ WAL-MART REAL ESTATE  
BUSINESS TRUST  
O.R. 7739, PG. 1755  
LOT 1942  
PARCEL #H4100028000016
- PETER C. CRUM  
O.R. 8416, PG. 405  
PARCEL #H3610018000032
- PROESCHEL FARMS LLC  
O.R. 6546, PG. 437  
PARCEL #H3510016000001

PERCENTAGE OF CONTIGUOUS = 36.0%

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



Drawing: 120048-000 AX  
Scale: 1" = 200'  
Drawn by: DDS  
Checked by: BRJ  
Issue Date: 12-02-13  
SHEET 2

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

**List of Parcels Across the Road from Annexation Territory**

**Square D Co.**

**Mailing Address:**

1415 S Roselle Rd  
Palatine, IL 60067 7337

**Parcel #H4100028000013**

**Terry Dudley, Etal**

**Mailing Address:**

6744 Contreras Rd  
Oxford, OH 45056

**Parcel #H4000028000005**

Date: September 3, 2013

Description: 33.550 Acres  
Annexation

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



Situated in Part of Original Lots 5 and 6, Section 16, Town 5, Range 1, Oxford Township, being parts of the lands of the Koenig Equipment, Inc., as recorded in Official Record 6242, Page 1972 and part of the lands of Merion Realty Inc., as recorded in Official Record 8362, Page 287 and part of the lands of the City of Oxford, as recorded in Official Record 8300, Page 352 and being part of the lands of City of Oxford, as recorded in Official Record 8113, Page 2303, and part of the lands of First Baptist Church of Oxford, as recorded in Official Record 6971, Page 1245 and part of the lands of Timothy H. Myers Tr., as recorded in Official Record 6253, Page 40, being part of the lands of James E. and Carolyn A. Ratliff, as recorded in Official Record 6401, Page 1768, and part of the lands of Ringwood Properties LTD., as recorded in Official Record 7278, Page 1348 and Official Record 8191, Page 1665, being part of the lands of Irving Materials, Inc., as recorded in Deed Book 1741, Page 373, and all of the lands of GHCOL LLC., as recorded in Official Record 7505, Page 1174 all of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

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

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

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

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

127045-001 120003 120000

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

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

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

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

thence, leaving said centerline of Oxford College Corner Road (U.S. RT. #27), along said City of Oxford corporation line and being 20.00 feet south of the centerline of Ringwood Road and through said lands of City of Oxford as recorded in Official Record 8113, Page 2303 and said lands of First Baptist Church of Oxford and said lands of James E. and Carolyn A. Ratliff and said lands of Timothy H. Myers, Tr. and said lands of Ringwood Properties Ltd. and said lands of Irving Materials, Inc., North 87° 18' 21" West, 879.06 feet;

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

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

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

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

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

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, September 3, 2013.

# PC-2014-05 Surrounding Property Owners Map

## Legend

-  Subject Area
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 300 feet



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

**Originating Department**

**Council Meeting Of:** July 15, 2014

Mary Ann Eaton

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

June 17, 2014

**Date Prepared**

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

**Recommendation:**

**Discussion:**

The Oxford Codified Ordinances are updated once each year to incorporate all Ordinances 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 May 20, 2014.

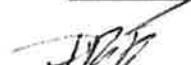
\*\*\* Copies of the replacement pages (Exhibit "A") are available at City Hall during normal business hours \*\*\*

**Approved By:**

**Initial Date**

**Department Head:**

**City Manager:**

  6/27/14

## ORDINANCE NO.

### AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES OF 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 2014 Replacement Pages so the Codified Ordinances are hereby approved and adopted.

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

#### Traffic Code

|         |                                                                                      |
|---------|--------------------------------------------------------------------------------------|
| 301.04  | Bicycle. (Amended)                                                                   |
| 301.161 | Highway Maintenance Vehicle. (Added)                                                 |
| 301.162 | Highway Traffic Signal. (Added)                                                      |
| 303.04  | Road Workers, Motor Vehicles and Equipment Excepted. (Amended)                       |
| 303.041 | Emergency, Public Safety and Coroner's Vehicles Exempt. (Amended)                    |
| 313.03  | Traffic Signal Indications. (Amended)                                                |
| 333.01  | Driving or Physical Control While Under the Influence. (Amended)                     |
| 333.03  | Maximum Speed Limits. (Amended)                                                      |
| 333.031 | Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. (Amended) |
| 337.16  | Number of Lights; Limitations on Flashing. (Amended)                                 |
| 339.01  | Oversize or Overweight Vehicle on State Routes. (Amended)                            |
| 339.03  | Maximum Width, Height and Length. (Amended)                                          |
| 341.01  | Commercial Vehicle Definitions. (Amended)                                            |
| 341.03  | Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)                  |
| 351.04  | Parking Near Curb; Handicapped Parking. (Amended)                                    |

#### General Offenses Code

|         |                                                                    |
|---------|--------------------------------------------------------------------|
| 505.071 | Cruelty to Companion Animals. (Amended)                            |
| 517.01  | Gambling Definitions. (Amended)                                    |
| 517.02  | Gambling. (Amended)                                                |
| 525.01  | Law Enforcement and Public Office Definitions. (Amended)           |
| 525.05  | Failure to Report a Crime, Injury or Knowledge of Death. (Amended) |
| 529.01  | Liquor Control Definitions. (Amended)                              |
| 529.07  | Open Container Prohibited. (Amended)                               |
| 537.03  | Assault. (Amended)                                                 |
| 537.12  | Misuse of 9-1-1 System. (Amended)                                  |
| 537.17  | Criminal Child Enticement. (Amended)                               |
| 545.01  | Theft and Fraud Definitions. (Amended)                             |
| 545.05  | Petty Theft. (Amended)                                             |
| 545.18  | Receiving Stolen Property. (Amended)                               |
| 553.03  | Duties of Locomotive Engineer. (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 attached hereto and incorporated herein by reference as Exhibit A. Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

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

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)