



Agenda

Oxford City Council

Court House

TUESDAY, AUGUST 6, 2019

EXECUTIVE SESSION

7:00 P.M.

1. Roll Call. Kate Rousmaniere, Mayor; Steve Dana, Vice-Mayor; Chantel Raghu; Glenn Ellerbe; Mike Smith; David Prytherch; Edna Southard

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.

3. Public Participation.

A. 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 16, 2019 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the July 17, 2019 Board of Zoning Appeals Meeting. (Sam Perry, Community Development Director)



Report

- C. A Resolution authorizing the City Manager to enter into an Agreement of Cooperation with Butler County Ohio, pursuant to the provisions of the Housing and Community Development Act of 1974, as amended. (Kim Newton, Assistant to the City Manager)



Staff Report/Resolution

5. Resolutions.

1. A Resolution in support of Miami University's Clean Ohio Green Space Conservation Grant application for the restoration of Four Mile Creek. (Mike Dreisbach, Service Director).



Staff Report/Resolution

2. A Resolution in support of the Ohio Department of Transportation's Bridge Inspection Program (PID#109334) and authorizing the City Manager to sign all agreements necessary for the City to participate in the program. (Mike Dreisbach, Service Director).



Staff Report/Resolution

6. Ordinances.

- A. First Reading.

1. An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 148.258 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager).



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3493. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2019. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading – None.

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff. 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.

B. Future Meetings.

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

TUES - Aug 13 Public Arts Commission of Oxford Meeting 4:30 p.m. Municipal Building

TUES - Aug 13 Planning Commission Meeting 7:00 p.m.

WED - Aug 14 Historic and Architectural Preservation Commission Meeting 6:30 p.m.

THUR – Aug 15 Police Community Relations Commission Meeting 7:00 p.m.

MON – Aug 19 Housing Advisory Commission Meeting 1:30 p.m. Municipal Building

MON – Aug 19 City Council CIP Work Session 7:00 p.m.

TUES – Aug 20 City Council Work Session 6:30 p.m.

TUES – Aug 20 City Council Meeting 7:30 p.m.

WED - Aug 21 Board of Zoning Appeals Meeting 6:30 p.m.

MON – Sept 2 Holiday – City Offices Closed

TUES – Sept 3 City Council Work Session 6:30 p.m.

TUES – Sept 3 City Council Meeting 7:30 p.m.

WED - Sept 4 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES – Sept 10 Public Arts Commission of Oxford Meeting 4:30 p.m. Municipal Building

TUES – Sept 10 Planning Commission Meeting 7:00 p.m.

WED - Sept 11 Historic and Architectural Preservation Meeting 6:30 p.m.

THUR – Sept 12 Recreation Board Meeting 11:30 a.m. Municipal Building

MON - Sept 16 Housing Advisory Commission Meeting 1:30 p.m. Municipal Building

TUES – Sept 17 City Council Meeting 7:30 p.m.

WED - Sept 18 Board of Zoning Appeals Meeting 6:30 p.m.

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 6, 2019

Sam Perry
Prepared By

Account Code No. #:

August 1, 2019
Date Prepared

Budgeted Amount: N/A

Agenda Title:	Board of Zoning Appeals Meeting Report – July 17, 2019
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The BZA welcomed new member Chris Allison who was sworn in prior to the meeting by Interim City Attorney Chris Conard.

The Board voted 4-0-0 to elect Roger Ames as Board Secretary due to the end of Prue Dana's term in June.

Adjudication Hearings

BZA-2019-06, 109 S. Poplar Street, Variance to Section 1143.09(c)(1) lot width & area requirements for a 2-Family Structure in the RO District, **Scott Webb Appellant**

Architect Scott Webb requested, on behalf of D&B Family Trust, relief from two zoning standards for construction of a new two-family building to replace the current one. Currently the circa 1909 house is used as a permitted two-family rental house for up to eight unrelated occupants. The site development regulations of the Office Residential District (RO) do not permit a new two-family building due to lot area and lot width regulations. Code requires 75 feet lot width, whereas the lot is 66 feet wide. Code requires 7,500 square feet of area, whereas the lot is 6,534 square feet. The Board discussed the case using the seven decision standards. The Board found that there was sufficient evidence for three of the standards and voted 4-0-0 to approve the variances.

Cases 2019-05, 14 W. Park Place and 2019-07, 114 W. Collins were tabled 4-0-0 at the request of the applicant.

The Board discussed zoning enforcement status with staff.

The meeting was adjourned at 7:00 p.m.

Approved By:

Department Head:

City Manager:

Initial	Date
<u>SP</u>	<u>8-1-19</u>
<u>DRE</u>	<u>8-2-19</u>

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, July 16, 2019 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Ms. Jessica Greene, Assistant City Manager; Mr. Sam Perry, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Chris Conard, Interim Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Southard moved to approve the agenda. Mr. Dana seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **“PHI DELTA THETA WEEK”**

Mayor Rousmaniere read the Proclamation and presented it to staff members of Phi Delta Theta.

Mr. Jim Pietras and Mr. Tyler Puccio accepted the Proclamation on behalf of Phi Delta Theta and thanked Mayor Rousmaniere and Council for their support.

PRESENTATION **ENJOY OXFORD**

Ms. Kim Daggy, Executive Director, Enjoy Oxford, introduced herself as the new Executive Director of Enjoy Oxford. Ms. Daggy presented Enjoy Oxford’s new website to Council, staff and members of the public and encouraged everyone to explore it. Ms. Daggy briefly discussed upcoming events in Oxford for the rest of the summer.

Mayor Rousmaniere congratulated Ms. Daggy on her new position.

PUBLIC COMMENTS

Ms. Prue Dana, 131 W. Collins Street, advised she was speaking as an individual Oxford resident. Ms. Dana noted she was appalled at the words and actions of the nationally elected leadership in their use of the agenda of white nationals. Ms. Dana advised she was heartened by those individuals also on the national stage who are showing our country how to respond to the phrase “go back to where you came from”. Ms. Dana noted Oxford is diverse and is working hard at diversity, it is a place where everyone is welcome and everyone is valued. Ms. Dana advised Oxford has a long tradition of discourse on Oxford City Council and on Boards and Commissions noting the discourse is carried out with dignity and respect.

Ms. Dana urged Council to applaud this and urged local leaders to continue the civil discourse that enables Oxford to carry out its business in an equitable and just manner. Ms. Dana shared that she was wearing a bracelet to continue this effort which reads "Love not Hate".

Mayor Rousmaniere noted in light of these events she looked up the civil rights definitions from Chapter 143 of the Oxford Codified Ordinances which says we shall not discriminate in this City and discrimination includes segregation or separation and any difference in treatment based on race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight or veteran status. Mayor Rousmaniere thanked Ms. Dana for her comments.

Mr. Vincent Hand, 511 E. Chestnut Street, advised he would speak briefly about traffic on Chestnut Street and elsewhere especially in light of the proposal and plan to continue the traffic pattern that was developed on Patterson Avenue and moving it on to High Street. Mr. Hand noted he has seen that Spring Street, High Street and Patterson Avenue are becoming less and less navigable for cars and from his observation Chestnut Street was getting more of those vehicles including large trucks. Mr. Hand advised it appears that Chestnut Street is becoming the main east-west thoroughfare in town noting he felt it was diverting traffic and business potentially from Uptown High Street. Mr. Hand advised Chestnut Street was getting more heavy trucks and from observation he did not think all of them were making local deliveries. Mr. Hand noted between the heavy trucks, dump trucks and other commercial vehicles that are using Chestnut Street heavily it was doing damage to the street surface and adding to the noise issue on Chestnut Street. Mr. Hand advised despite the radar speed indicator on Chestnut Street the residents see speeding vehicles much of the time including trucks other commercial vehicles and buses. Mr. Hand noted the residents had issues with trying to cross the street and advised his wife has had multiple near misses in the crosswalks while walking to her job at the university. Mr. Hand advised it appears to the residents that Chestnut Street is becoming the US27, the highway through town. Mr. Hand noted he and his neighbors would like to see something done such as the installation of traffic calming devices such as on Patterson Avenue. Mr. Hand advised a former mayor suggested that for Chestnut Street more than 20 years ago before they appeared on Patterson Avenue noting there was good evidence that these kinds of things slow traffic down. Mr. Hand advised he and his neighbors would like to see better and more consistent maintenance of the road surface noting it was getting damaged and while repairs have been made the road gets bumpier and the trucks going at speed increase the noise. Mr. Hand suggested better signage might help particularly guiding trucks onto the state and national routes. Mr. Hand noted he and his neighbors would like to see better enforcement of the speed limit on Chestnut Street and he would like to see a commercial vehicle pulled over for speeding once in a while.

Mr. Prytherch noted his hope Council could look at ways to make it easier for people and especially pedestrians to navigate across Chestnut Street.

Mr. Hand inquired if federal funding was involved for the High Street project. Mr. Dreisbach advised ODOT funds were granted and he did not know where the ODOT funds came from. Mr. Hand advised if federal funds were involved some minimal environmental assessments would be required with some public participation. Mr. Hand asked that Chestnut Street residents be notified if that happens.

CONSENT AGENDA

MINUTES

Minutes of the June 18, 2019 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Dana moved to approve the consent agenda. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION

MOU - LIBERTY TOWNSHIP

A Resolution No. 7090 authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the Liberty Township Fire Department to submit a joint application for the 2019 Assistance to Firefighters Grant (AFG) and to function as the fiscal agent provided funds are awarded. AFG funds shall be used for the purchase and installation of mobile radios and portable handheld radios at participating fire stations. (John Detherage, Fire Chief)

Chief Detherage advised the Assistance to Firefighters grant was a federal grant and noted most of the fire departments in Butler County would like to apply for the funding under one application. Chief Detherage noted his hope the grant application would be looked upon more favorably as a joint effort. Chief Detherage advised the grant has not been released yet noting when it was released there was a 30 day window in which to apply. Chief Detherage noted the match for this grant was 10% which would be approximately \$16,000 to \$18,000 for the City of Oxford.

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

Mr. Dana inquired why Liberty Township was chosen to be the fiscal agent. Chief Detherage advised Chief Klussman of Liberty Township volunteered to handle that aspect of the grant noting he has done grant work in the past.

Ms. Southard moved to adopt Resolution No. 7090. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTION

AGREEMENT WITH BSA

A Resolution No. 7091 accepting the proposal and authorizing the City Manager to enter into an agreement with Bellefeuil, Szur & Associates, Inc. (BSA) to furnish certain licensed permitting software and certain services for the Community Development Department as set forth on Exhibit "A" attached hereto at a cost of \$102,435.00 plus a contingency in the amount of 2.5% of the agreement price or \$2,560.87 for a total cost not to exceed \$104,995.87. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed software was a budgeted item in 2019. Mr. Perry noted the software would be a major upgrade for the Community Development Department to modernize their systems and save paper while making it transparent for applicants of building and rental permits. Mr. Perry advised the Community Development Department went through a fairly exhaustive RFP process as 7 submittals were received and reviewed. Mr. Perry noted BSA floated to the top as being the most compatible with existing systems. Mr. Perry advised he was seeking Council's approval to formally enter into an agreement with BSA for this particular Community Development software module.

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

Mr. Prytherch referred to page 24 of Council's packet and inquired why BSA's annual cost was so much lower than the other vendors. Mr. Perry advised BSA spends so much time on the upfront training that there is not as much need for maintenance. Mr. Perry noted approximately ¼ of the \$102,435 upfront cost for the software will go towards training. Mr. Perry advised staff talked to other jurisdictions using the software who indicated when they do have support requests they receive an answer within an hour which was reassuring.

Mr. Ellerbe inquired if Mr. Perry was planning to hire an independent contractor to do the implementation and Mr. Perry advised no. Mr. Ellerbe noted he felt this was an opportunity to adjust the City's fee schedule to support this particular software platform and inquired if Mr. Perry agreed. Mr. Perry advised he would be glad to assess the issue noting the fees should be proportional to the service being provided. Mr. Perry noted one of his goals was to handle more volume with the same amount of staff.

Mayor Rousmaniere inquired when the new software would be rolled out. Mr. Perry advised it was a 6-9 month process noting the Community Development Department will go live with it early next year.

Mr. Prytherch noted the staff report describes some of the benefits of the new software and advised Mr. Perry has talked about it at previous meetings. Mr. Prytherch asked Mr. Perry for those new to the topic to discuss what the return on this investment will be. Mr. Perry advised right now for some of the applications a person has to physically come into the City Building to submit them. Mr. Perry noted that creates a handicap for applicants who are not in town and particularly for contractors that serve the region. Mr. Perry advised the review process is lengthier than it could be because of the paper transferring between sites and reviewers noting the City has an outsourced Building Official. Mr. Perry noted having the option for a digital submittal will save time and paper and advised the Community Development Department processes approximately 500 building permits and 5,000 rental permits per year. Mr. Perry noted they also process approximately 200 Planning Commission, Board of Zoning Appeals and Historic and Architectural Preservation cases per year which will also be part of the new system. Mr. Perry advised the new software will also allow the applicant to log-in to see the status of a particular permit or review without having to call the architect or the City to find out. Mr. Perry noted his hope the upgraded services will be a good return on the investment.

Ms. Southard moved to adopt Resolution No.7091. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCES
SECOND READING

ORDINANCE
NEW CHAPTER 1111

An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Sam Perry, Community Development Director)

Mr. Perry advised a several month process by the Environmental Commission and the Planning Commission resulted in a Planning Commission recommendation for Council to adopt a Tree Preservation Ordinance. Mr. Perry noted he found several things he felt needed to be worked through which he brought to Council's attention through working with the City Manager. Mr. Perry advised since that time he had been working with the Environmental Commission Chair, Wright Gwyn noting they have accomplished quite a bit of progress. Mr. Perry noted in order for it to come back to Council through the Planning Commission as a new Ordinance the previous proposal needs to be closed out. Mr. Perry advised that was his recommendation rather than tweaking something that is being changed in many aspects. Mr. Perry noted he felt the best thing to do is deny this Ordinance so the process can start over. Mr. Perry advised he expected the new language to be reviewed by the Planning Commission in September and by Council by the end of the year.

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

Ms. Southard advised she was glad Mr. Perry was working to make this happen and thanked him for that effort noting the Tree Preservation Ordinance has been a long time coming. Ms. Southard advised she felt it was obvious that a tree preservation ordinance was needed noting Council wants to see development and at the same time have tree protection.

Mayor Rousmaniere advised if the staff recommendation is to deny then one would vote no on the proposed Ordinance.

Mr. Prytherch noted this may be a distinction without a difference and advised in another circumstance this could be remanded to the Planning Commission for revisions. Mr. Prytherch noted Council pushed to get Tree Preservation language brought forward and they wanted to get it right, have it be enforceable and target the right people. Mr. Prytherch advised he was anxious to see a more workable version come back to Council quickly.

Mr. Dana moved to adopt the proposed Tree Preservation and Protection Ordinance. Mr. Smith seconded. The Ordinance failed by the following roll call:

AYE: Ms. Raghu (1)

NAY: Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Mayor Rousmaniere (6)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3532 Amending Ordinance No. 3493. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2019. (Joe Newlin, Finance Director)

Mr. Newlin reminded everyone the proposed supplemental budget was for additional funding for the new BSA software for the Community Development Department. Mr. Newlin noted the Finance Department switched to BSA software in 2015 and has had a very good relationship with them.

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

Mr. Dana moved to adopt Ordinance No. 3532. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised he, Mr. Wooddell and Mr. Dreisbach met with representatives from the Middletown community as they wanted to discuss Oxford's new Aquatic Center and how it came about. Mr. Elliott noted they had some questions for staff regarding the processes as they are trying to move forward with a new aquatic center in Middletown. Mr. Elliott advised Mr. Wooddell gave them a tour of the City's facility noting they were very impressed.

Mr. Elliott provided a detailed report on the City's income tax collection by the Regional Income Tax Agency (RITA) noting this service has proven to be very effective and efficient in the collection and administration of the City's income tax.

Mr. Elliott noted he served on the Butler County 911 Planning Committee which is a one year rotating position between the cities of Middletown, Fairfield and Oxford. Mr. Elliott advised he had one more meeting to attend before being replaced by someone from the other two communities. Mr. Elliott noted the 911 Committee is responsible for maintaining and updating the countywide 911 plan.

Mr. Elliott advised the City's former Law Director, Amy Blankenship left the law firm in June and noted the City was advertising for proposals for a new Law Director with a deadline of August 1, 2019.

Mr. Elliott advised the City Manager's recommended 5 year Capital Improvement Plan will be provided to Council Thursday, August 8 and the CIP Work Session was scheduled for Monday August 19 at 7:00 p.m. at the Courthouse.

Mr. Wooddell advised the Aquatic Center has been open 4 ½ weeks noting there have been zero rain days since June 15th. Mr. Wooddell noted the center was averaging a little over 500 people per day. Mr. Wooddell advised the final Swim Meet of the year was happening right now and dive championships would take place Monday.

Mr. Wooddell referred to the visitors from Middletown noting they were very pleased with the aquatic facility visually and pleased to learn about the City's operations. Mr. Wooddell advised he felt they were grateful that staff took the time to talk with them about the process and what the City's figures look like to this point.

Ms. Raghu advised her brother and his family moved to Oxford recently from San Francisco noting he drove his electric car which took him to towns he never would have gone to otherwise. Ms. Raghu advised his trip was dictated based on where the charging stations were located. Ms. Raghu noted the City missed out on Tesla installing electric chargers here free of charge and advised Mr. Kiss of the Environmental Commission was working on getting Volkswagen funding to have chargers installed which she felt would be a big attraction. Ms. Raghu advised the City of Cincinnati's Climate Advisor recently disclosed that the City of Cincinnati is working on converting some of their fleet to electric vehicles and trying to increase the number of chargers they have in their city. Ms. Raghu noted she felt it would be an amazing attraction for visitors and residents to have an electric charging station in Oxford.

Mr. Dana noted judging by the City's award for Excellence in Financial Reporting he felt congratulations were owed to the staff and advised the Popular Report was exceptionally user friendly.

Mr. Dana noted he wanted to signal to his fellow Councilors that he has a special interest in transportation and advised transportation was near the top of the needs based on the Oxford VILLAGE Network's survey. Mr. Dana noted the Butler County Regional Transit Authority was a special interest of his and advised he hoped to work with Mr. Prytherch to look for opportunities to increase ridership.

Mr. Smith complimented Mr. Wooddell and the Parks and Recreation staff for the great 4th of July events, the parade, fire works and Freedom Festival, noting he received rave reviews from citizens this year.

Ms. Southard thanked Ms. Dana and Mayor Rousmaniere for their opening statements this evening noting she really appreciated that as a naturalized American and as a child of refugees who were stateless. Ms. Southard noted she felt Oxford was a very welcoming place and thanked everyone for welcoming people including herself.

Mr. Prytherch thanked the Parks and Recreation Department for the 4th of July celebrations noting a lot of work went into planning and hosting the events.

Mr. Prytherch gave kudos to the Water Distribution Department who recently got a geyser under control on SR73 after a serious water main break.

Mr. Prytherch advised the Climate Workshop held on June 20th was well attended noting the goal was to explore issues of best practices for communities who care about climate issues and ways to make a difference, what are we doing already and what more could we do which he felt was good fodder for the Climate Action Task Force. Mr. Prytherch noted the Climate Action Task Force would continue to meet through July on route to making a short report and recommendation to Council in August.

Mr. Prytherch advised one of Council's primary goals identified during their Retreat early this year was a transportation focused goal related to alternative sustainable transportation. Mr. Prytherch noted there were 2 tactics one of which was to revisit the Complete Streets Policy and the other was to reorganize the Parking and Transportation Advisory Board as a place to focus on that. Mr. Prytherch advised he wanted to introduce the Planning Commission's recommendation on the Complete Streets Policy as an Ordinance at the next meeting and provided Council and staff with a draft of the proposed Ordinance. Mr. Prytherch noted the City had a Parking and Transportation Advisory Board that became inactive around 2014 and advised they mainly focused on parking policies. Mr. Prytherch noted there were transportation topics that do not have a natural board to talk about them such as BCRTA, e-scooters, transportation plans and the kind of issues Mr. Hand raised this evening. Mr. Prytherch advised he also wanted to introduce legislation at the next meeting to reinvigorate the Transportation and Parking Advisory Board and provided a draft Resolution to Council and staff.

Mayor Rousmaniere advised Council Work Sessions have been scheduled for August 20 and September 3 to work collectively on deciding which of Council's goals identified during the Council Retreat might be incorporated into the 2020 budget. Mayor Rousmaniere noted the Work Session was only one hour and strongly recommended Council members come with or share in advance a prepared document with basic information on what they wish to propose. Mayor Rousmaniere discussed her proposal which was to obtain an electric car charger noting she would also ask the Environmental Commission for an endorsement. Ms. Raghu stated based on Council Rules it does not have to go through a commission noting any Councilor can introduce policy. Mayor Rousmaniere advised that was true although she felt it made sense to go through a relevant commission as part of the democratic process. Mayor Rousmaniere noted at the Work Session on September 3 Council will consider proposals discussed at the previous Work Session more thoroughly and make recommendations or ask for legislation to be introduced. Mayor Rousmaniere advised she felt this was a way to be open and democratic about the decisions Council makes. Mayor Rousmaniere noted on September 27 the City Manager's proposed budget is sent to Council and on Thursday October 17 the Budget Work Session was scheduled for 7:00 p.m. where Council's goals discussed at the Work Sessions will be incorporated into the 2020 budget.

Mr. Prytherch referred to Council's goals and noted some items were capital improvement items and some were operational budget items and inquired how Council could make educated decisions about what is reasonable to weave into the budget.

Mr. Elliott advised he felt what Mayor Rousmaniere laid out was a very workable plan noting if Council used last year's budget as a template for this year's budget it would be very similar. Mr. Elliott advised most of the funding goes to support existing operations. Mr. Elliott noted what changes each year is the particular items that are funded in the capital improvement budget. Mr. Elliott advised each year \$350,000 is budgeted for road resurfacing and money is set aside for the purchase of new vehicles. Mr. Elliott noted part of the restraint is that the budget was balanced last year and if \$50,000 or \$100,000 is added for Council's goals something may have to be taken out of the budget in order to keep it balanced. Mr. Elliott advised Resolutions will be brought forward so Council can vote publicly for the new items to be incorporated in the 2020 budget.

Mayor Rousmaniere referred to the August 20 Work Session and encouraged Council members to be specific about their requests and perhaps have a prepared document in advance so when Council comes to the Work Session they can discuss their goals among themselves and come to a consensus on what items to incorporate into the 2020 budget.

Mayor Rousmaniere noted on Thursday, July 25 a Census 2020 Complete Count committee training session would take place at the Oxford Community Arts Center noting the 2020 Census was so important and somewhat complicated in a college town. Mayor Rousmaniere advised Carolyn Tepe from the US Census Bureau would provide the training.

ADJOURN

Mr. Dana moved to adjourn at 8:28 p.m. Mr. Smith seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager's Office
Original Department

Council Meeting Of: August 6, 2019

Kim Newton

Account Code No. #:

Prepared By

Budgeted Amount:

July 29, 2019

Date Prepared

Agenda Title:

**Community Development Block Grant (CDBG) and HOME Programs
County & City Cooperation Agreement**

Recommendation:

Approve

Discussion:

The U.S. Department of Housing and Urban Development (HUD) is requesting all Urban Counties to sign new Cooperation Agreements with their sub-recipients, which includes the City of Oxford. The last Agreement (2008 – 2010) was signed in 2007 and has automatically renewed every three (3) years. HUD is requiring all Agreements include the following language *"The city may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act."* The new Agreement will also include the same conditions as the previous Agreement.

The attached Resolution allows the City Manager to renew our Cooperation Agreement with Butler County for participation in the Community Development Block Grant and Home Programs for the years 2020 -2022, the Urban County Certification period. The Cooperation Agreement must be signed by the City of Oxford and Butler County in order to maintain our status as a sub-recipient of Butler County's Urban County status in regards to receiving CDBG/HOME funds. This new Agreement will automatically renew every three (3) years moving forward unless either party exercises the option to terminate the agreement at the end of the Urban County certification period.

The City has been a sub-recipient under Butler County's Urban County status since 1998 and has received no less than ten percent (10%) of the County's total allocation, which in the last few years has been approximately \$113,000 used for infrastructure projects and administration.

Approved By:

Department Head:
City Manager:

Initial Date

DRE \ 8-2-19

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT OF COOPERATION WITH BUTLER COUNTY, OHIO, PURSUANT TO THE PROVISIONS OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

WHEREAS, Council acknowledges the enactment by the Congress of the United States of the Housing and Community Development Act of 1974, which has as its primary objective the development of viable communities; and

WHEREAS, Council supports the Act in that it provides for and encourages units of local government to enter into agreements of cooperation with urban counties for the purposes of undertaking central community development and housing assistance activities.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council desires to enter into a cooperative agreement with Butler County for the 3-year qualification period of 2020-2022 with the following conditions:

- a. The City shall receive not less than a ten percent (10%) disbursement of Butler County's total CDBG allocation annually;
- b. social service agencies and not-for-profit agencies serving the Oxford area shall be given the opportunity to apply for and receive CDBG HOME funding directly from Butler County's allocation not the City of Oxford's allocation.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



COOPERATION AGREEMENT

for the
BUTLER COUNTY ENTITLEMENT PROGRAM

Program Years 2020-2022

This Agreement between the County of Butler, Ohio, hereinafter referred to as "County" and the City of Oxford, Ohio, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, the Congress of the United States has enacted the Housing and Community Development Act of 1974, as amended, (hereinafter called the "Act"), which has as its primary objective, the development of viable urban communities, and whereby federal assistance will be provided for the support of community development activities which are directed toward the following specific objectives:

- 1) The elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;
- 2) The elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;
- 3) The conservation and expansion of the Nation's housing stock in order to provide a decent home and suitable living environment for all persons, but principally those of low and moderate income;
- 4) The expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;
- 5) A more rational utilization of land and other natural resources and the better arrangement of residential, commercial, industrial, recreation, and other needed activity centers;
- 6) The reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income;
- 7) The restoration and preservation of properties of special value for historic, architectural, or esthetic reasons;
- 8) The alleviation of physical and economic distress through the stimulation of private investment and downtown revitalization in Neighborhood Business Districts.

WHEREAS, both the City and the County are desirous of entering into community development activities within Butler County, which are directed toward the above and specific objectives, and for that reason, desirous of seeking such federal funding as may be available to them pursuant to the Act; and



WHEREAS, the City and the County each have the authority under Ohio law to carry out the kinds of activities which are the objectives of the Act; and

WHEREAS, the Act contemplates and encourages the joining together by agreement of counties and cities having populations less than 50,000, for the purpose of carrying out the objectives of the Act;

WHEREAS, cities and counties in Ohio have authority under Section 307.15 of the Ohio Revised Code (ORC) to enter into agreements whereby a Board of County Commissioners undertakes, and is authorized by the contracting City, to exercise any power, perform any function, or render any service, on behalf of the City which such City may exercise, perform or render; and

WHEREAS, the County has authority under Section 307.85(A) of the Ohio Revised Code to cooperate with other governmental agencies in operating any federal program enacted by the United States Congress; and

WHEREAS, the City and the County have agreed that it is in the best interest of carrying out the objectives of the Act within Butler County that the City and the County should join together in both the CDBG and HOME Investment Partnership Programs.

IT IS AGREED BETWEEN PARTIES THAT:

- 1) This Agreement covers Program Years 2020, 2021, 2022 from May, 1, 2020 through April 30, 2023 of both the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership Program. By executing this Agreement and participating in the Butler County Programs, the City understands that it may not apply for grants under the Small Cities or State CDBG Program, and that it may receive a formula allocation under the HOME Program only through the County. Even if the County does not receive a HOME formula allocation, the City cannot form a HOME consortium with other local governments.
- 2) The County shall prepare and submit an application to the Secretary of Housing and Urban Development for grants under the terms of the Housing and Community Development Act of 1974, as amended. These applications shall set forth a summary of a community development plan which identifies community development needs, demonstrates a comprehensive strategy for meeting those needs, and specifies both short and long term community development objectives, which have been developed in accordance with area wide development planning and national urban growth policies, and otherwise conforms with Section 104 of the Act. The community development plan described above shall hereinafter be called the "Plan".
- 3) The City may prepare applications of recommended projects and activities for community development within its boundaries, of which the activities and objectives must be in accordance with the objectives of the Act. These applications shall be submitted to the Butler County Department of Development, which will be the reviewing agency for all proposed activities and objectives to be included in the Plan. The Butler County Department of Development shall make recommendations to the Board of County Commissioners for the contents of the plan and for recommended priorities among these various projects and activities which may be submitted. Final approval of projects and activities to be included in the plan is the responsibility of the Board of County Commissioners. It is also understood between the parties that the County has the authority and responsibility to make decisions concerning the contents of the applications, and that the projects and activities for which approval and urban county formula funding is sought under these applications shall be in conformance with the purposes of the Act and the Plan.
- 4) If projects or activities with the City are approved and funded, pursuant to the applications, the County will have the responsibility and authority for the overall implementation of the programs and for the proper use of the urban county formula funds and any and all program income generated from the expenditure of these funds in accordance with the requirements of the Act.



- 5) The County shall develop and maintain a uniform administrative procedure for the development of applications and the distribution of urban county formula funds. These procedures will of necessity reflect the requirements of the Secretary of Housing and Urban Development and the regulations which the secretary may develop for the distribution and expenditure of urban county formula funds.

The annual allocation of CDBG funds to the City will be no less than 10% of the CDBG funds the County receives in Program Years 2020, 2021, and 2022. The City may apply to the County for additional CDBG funding in any of these same Program Years. The foregoing minimum allocation and opportunity for additional funding shall be null and void (a) if such procedures are contrary to the Act or contrary to present or future requirements or regulations of the Secretary of Housing and Urban Development, or (b) if the County receives no CDBG funds in any Program Year.

- 6) The City authorizes the County to do on behalf of the City, in accordance with the conditions of this agreement, all things which the City could do for itself in the making of the application for, and the expenditure of, urban county formula funds.
- 7) The City and the County agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing.
- 8) Pursuant to 24 CFR 570.501 (b), the City shall be subject to the same requirements as subrecipients, including the requirement of a written agreement, where applicable in accordance with 24 CFR 570.503.
- 9) If a City is a subrecipient, it must inform the County of any income generated by the expenditure of CDBG funds and return such income to the County within thirty (30) days of its receipt, unless other specific arrangements have been negotiated and agreed to by the City and the County. The City shall maintain and supply such records and supporting documentation to the County to assure program income is being accurately reported and correctly expended. Any program income that is on hand or received subsequent to close out of the activity shall be paid to the County within thirty (30) days.
- 10) For any real property acquired or improved in whole or in part using CDBG funds, the City agrees:
 - a) To notify the County within thirty (30) days of any proposed modification or change in the use of real property from that planned at the time of acquisition or improvement including disposition.
 - b) To reimburse the County in an amount equal to the current Fair Market Value (less any portion thereof attributable to expenditures of non-CDBG funds) of the property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under CDBG regulations.
 - c) To return to the County (as provided in Section 8, above) all program income generated from the disposition, transfer, or rent of property acquired or improved with CDBG funds.
- 11) Both the County and City agree to take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age discrimination Act of 1975, **and affirmatively furthering fair housing**. Further, no funding shall be made for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the county's fair housing certification.

- 12) The City has adopted and is enforcing:



- a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.
- 13) This agreement shall remain in effect for Program Years 2020, 2021, and 2022, and cannot be terminated, until CDBG and HOME funds, as well as any program income received are expended, and the funded activities are completed, and that the county and participating unit of local government cannot terminate or withdraw from the cooperation agreement while it remains in effect.
- 14) Any amendments to the Housing and Community Development Act of 1974, as currently amended, necessitating a change to this agreement, shall be incorporated by a formal amendment to this agreement. Failure by either party to adopt an amendment incorporating all changes necessary to meet the requirements set forth in the Urban County Qualification Notice applicable for the year in which the next qualification is scheduled, shall automatically terminate the agreement following the expenditure of all CDBG funds allocated for use in the City's jurisdiction, and that such failure to comply will void the automatic renewal of such qualification period.
- 15) **Other conditions:**
The City and the County further agree that the following conditions shall be also part of this agreement: Social service agencies and not-for-profit agencies serving the Oxford area shall be given the opportunity to apply for and receive CDBG/HOME funding directly from Butler County's allocation not the City of Oxford's allocations;
- 16) This agreement shall be automatically renewed in successive three-year qualification periods unless either party exercised the option to terminate the agreement at the end of the urban county qualification period. If the City fails to exercise that option before the end of the urban county qualification period it will not have the opportunity to exercise that option until the end of the subsequent urban county qualification period. Such termination will be accepted only if it is submitted in writing before the end of each qualification period. Butler County will notify the City by the date specified in HUD's Urban County Qualification Notice, of its right to terminate the Agreement.
- 17) The city may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.



BUTLER COUNTY:

President

Witness

Vice-President

Member

CITY OF OXFORD:

Douglas R. Elliott
City Manager

Witness

LEGAL OPINION ATTACHED
and made part of this Agreement.



MICHAEL T. Gmoser
BUTLER COUNTY PROSECUTING ATTORNEY
CIVIL DIVISION

GOVERNMENT SERVICES CENTER • 10TH FLOOR
P.O. BOX 515 • 315 HIGH ST. • HAMILTON, OH 45012-0515



July 12, 2019

Desmond Maaytah, Manager,
Butler County Dept. of Development
Division of Community Development
130 High Street
Hamilton, Ohio 45011

RE: Community Development Block Grant Program Cooperation Agreement

Dear Mr. Maaytah:

We have reviewed the Cooperation Agreement for program years 2020-2022 relative to Butler County's urban county qualification for participation in the Community Development Block Grant Program.

Based upon my review of the agreement you submitted and of the relevant provisions of the Ohio Revised Code, my opinion is as follows:

The terms and provisions of the Cooperation Agreement are fully authorized under state and local law. Pursuant to Ohio Revised Code §§ 307.15 and 307.85(A), the Board of County Commissioners of Butler County, Ohio, has full legal authority to enter into the Cooperation Agreement, which provides full legal authority for the County to undertake, or assist in undertaking, community renewal and housing assistance activities.

If you have any further requirements in this regard, please contact me at your convenience.

Sincerely,

Mary Anne Nardiello

Mary Anne Nardiello
Assistant Prosecuting Attorney

MAN/mn

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: August 6, 2019

Account Code #: Not Applicable

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach, Service Director
Prepared By

July 26, 2019
Date Prepared

Agenda Title: Resolution of Support for a Miami University Clean Ohio Grant Application

Recommendation: Approve

Discussion:

Significant erosion is occurring along Four Mile Creek in the vicinity of the Equestrian Center; this erosion is now threatening the area that will be improved in a future segment of the Oxford Area Trail System.

Miami University intends to apply for a restoration grant from the Clean Ohio Green Space Conservation Grant fund. To be eligible for this grant, a Resolution of support is required to be included with the grant application.

Staff finds this application not to be in competition for City grant opportunities, and recommends the City Council pass a Resolution of support for the Miami application.

Approved By:

Department Head:

City Manager:

Initial Date

MBD \ 7/26/19

DRE \ 8-2-19

RESOLUTION NO.

A RESOLUTION IN SUPPORT OF MIAMI UNIVERSITY'S CLEAN OHIO GREEN SPACE CONSERVATION GRANT APPLICATION FOR THE RESTORATION OF FOUR MILE CREEK.

WHEREAS, the Ohio Public Works Commission administers the Clean Ohio Green Space Conservation Program to fund the protection and preservation of open spaces, sensitive ecological areas, and stream corridors; and

WHEREAS, Ohio Revised Code Section 164.23(B)(1) requires that Clean Ohio Green Space Conservation Grant applications include a resolution of support from the local municipality in which the project is located; and

WHEREAS, Miami University, a tax-exempt organization under Internal Revenue Code (IRC) Section 501 (c) (3), is the applicant for a Clean Ohio Green Space Conservation Grant for the Restoration of Four Mile Creek Project to repair and restore approximately 350 linear feet of severely eroded stream corridor, which will help preserve and protect an adjacent nature preserve, native plants, and wildlife habitat from future flooding damage and erosion in Oxford, Butler County, located along the north boundary of Miami's Equestrian Center property in the eastern portion of the Miami University campus off of S.R. 73; and

WHEREAS, the Four Mile Creek corridor connects to existing sites which contain valuable woodland and habitat, previously-funded local trail connection projects, a nature preserve, the historically-protected DeWitt Log Homestead, and other adjacent natural areas, and provides outdoor recreational opportunities to students and nearby residents; and

WHEREAS, the Clean Ohio Green Space Conservation Grant will allow Miami University to repair and protect this sensitive stream corridor, biodiversity restoration, floodplain and stream preservation, and to enhance educational opportunities; and

WHEREAS, this resolution is consistent with the City of Oxford's Core Principles.

THE COUNCIL OF THE CITY OF OXFORD, OHIO HEREBY RESOLVES THAT:

SECTION 1: the City of Oxford supports Miami University's application for Clean Ohio Green Space Conservation Funding for the Restoration of the Four Mile Creek Project.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KATE ROUSMANIERE
PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: August 6, 2019

Account Code #: Not Applicable

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach, Service Director
Prepared By

July 26, 2019
Date Prepared

Agenda Title: Resolution of Support for Ohio DOT Bridge Inspection Program / PID 109334

Recommendation: Approve

Discussion:

The Ohio Dept. of Transportation (ODOT) is in the process of renewing the Municipal Bridge Inspection Program through the end of 2022 for municipalities with a population less than 50,000 people. The current authorization expires Dec. 31, 2019.

In order for the City to participate in this program, a Resolution of support is required by ODOT. The agreement requires ODOT to bear 100% of all costs associated with the inspection of bridges and applicable culverts within the corporate limits of Oxford. The City will be responsible for costs associated with signage and repairs identified by the inspections including scouring remediation.

This is a beneficial program for the City; in the past, we have had to contract with bridge inspection engineers at the sole cost to the City. Staff recommends the City Council approve this Resolution of support for ODOT PID 109334 and authorize the City Manager to sign all agreements necessary for this program.

Approved By:

Department Head:

City Manager:

Initial Date

MBD \ 7/26/19

DRE \ 8-2-19

RESOLUTION NO.

A RESOLUTION IN SUPPORT OF THE OHIO DEPARTMENT OF TRANSPORTATION'S BRIDGE INSPECTION PROGRAM (PID#109334) AND AUTHORIZING THE CITY MANAGER TO SIGN ALL AGREEMENTS NECESSARY FOR THE CITY TO PARTICIPATE IN THE PROGRAM.

WHEREAS, the Ohio Department of Transportation (ODOT) is renewing the Municipal Bridge Inspection Program through the end of 2022 for municipalities with a population of less than 50,000; and

WHEREAS, in order for the City to participate in this program, a Resolution of support is required by ODOT. The agreement requires ODOT to bear 100% of all costs associated with the inspection of bridges and applicable culverts within the corporate limits of Oxford. The City will be responsible for costs associated with signage and repairs identified by the inspections; and

WHEREAS, the City Manager and the Service Director recommend Council adopt the Resolution of support for the ODOT Bridge Inspection Program (PID#109334) as set forth in Exhibit "A" attached hereto and authorize the City Manager to sign all agreements necessary for the City to participate in the program.

THE COUNCIL OF THE CITY OF OXFORD HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and adopts the Resolution of support for the ODOT Bridge Inspection Program (PID#109334) as set forth in Exhibit "A" attached hereto.

SECTION 2: Council further authorizes the City Manager to sign all agreements necessary for the City to participate in the program.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution # : _____

PID No. : 109334

County/Route/Section : _____

The following is a/an _____ enacted by the _____ of _____
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

NOW THEREFORE, be it ordained by the _____ of _____ County, Ohio.
(LPA)

SECTION II – Consent Statement

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

SECTION III – Cooperation Statement

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

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V Authority to Sign

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

Passed: _____, 2 _____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

The _____ is hereby declared to be an emergency measure to expedite the highway project and
(Ordinance/Resolution)
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY
STATE OF OHIO**

_____ of _____ County, Ohio

(LPA)

I, _____, as Clerk of the _____

(LPA)

of _____ County, Ohio, do hereby certify that the foregoing is a true and correct copy of

_____ adopted by the legislative Authority of the said

(Ordinance/Resolution)

_____ on the _____ day of _____, 2____.

(LPA)

That the publication of such _____ has been made and certified of record according to

(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such _____ have been taken;

(Ordinance/Resolution)

and that such _____ and certificate of publication thereof are of record in _____,

Page _____.

(Ordinance/Resolution)

(Record No.)

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

(Clerk)

(CITY SEAL)

_____ of _____ County, Ohio

(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.

For the _____ of _____ County, Ohio.

(LPA)

Attested: _____

(Contractual Agent)

Date _____

For the State of Ohio

Attested: _____

(Director, Ohio Department of Transportation)

Date _____

Approved Final Scope of Services Minutes Date: _____

GENERAL ENGINEERING SERVICES

Central Office, Office of Structural Engineering

Scope of Services

The CONSULTANT may be required to perform the following services on a task order type basis for bridges designated by regulation or by agreement as City or Village inspection responsibility. Tasks which may include but are not limited to the following:

Task 1 - Scour Tasks

- Task 1A - Scour Critical Assessment
- Task 1B - Scour Plan-of-Action
- Task 1C – Scour Analysis

Task 2 - Load Rating Tasks

- Task 2A - Field Measurements for Load Rating
- Task 2B - Load Rating Calculations

Task 3 – SMS Structure Inventory and Review

Task 4 – Inspection Procedures

- Task 4A - Fracture Critical Plan
- Task 4B – Underwater Inspection Procedures

Task 5 - Bridge Inspection

- Task 5A – Routine Bridge Inspection
- Task 5B – Fracture Critical Inspection
- Task 5C – Underwater Dive Inspection

Services shall be conducted in accordance with the following:

- ODOT Manual of Bridge Inspection, Latest Version
- ODOT SMS Bridge and Inventory Coding Guide, Latest Version
- ODOT Bridge Design Manual, Section 900), Latest Version
- Hydraulic Engineering Circulars 18, 20 and 23
- The Manual for Bridge Evaluation, Second Edition 2013 interim with revisions, AASHTO

Publication

- Bridge Inspector's Reference Manual, FHWA NHI Publication Number: 12-049,
Publication Year: 2012
- Underwater Bridge Inspection, FHWA Publication Number: FHWA NHI-10-027,
Publication Year: 2010

The CONSULTANT shall maintain a project cost accounting system that will segregate costs for individual task orders. The invoicing progress reports shall be detailed enough to show the breakdown of each assigned structure indicating the status of all subtasks. Completion of the individual subtasks is necessary for reimbursement credits.

The Department will be performing an annual Quality Assurance Review (QAR) for each selected consultant in accordance with Manual of Bridge Inspection to ensure accuracy and consistency of the inspection and documentation in SMS. This typically includes an office and field review.

The project will be divided into four (4) sub-projects (SP). A CONSULTANT will be selected for each sub-project. Municipalities opted into the previous inspection program will have the option to renew their legislation. Municipalities with population greater than 50,000 people are excluded from the program. The sub-projects have the following general geographic areas, category characteristics, and maximum contract values for the municipalities with municipal inspection responsibility obtained from SMS data as of March 2019.

Project: SP01 - District (1, 2, &3), Total Structures = 435*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	170	158	24	0	352
Multi-Span	21	18	29	15	83
Culvert	156	45	0	0	201
Truss	0	0	2	0	2
Underwater Inspection	0	0	0	0	0
Fracture Critical Inspection	0	4	0	0	4
Load Rating**	149	75	16	10	250

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 109334

Project: SP02 - District (4, 11, &12), Total Structures = 270*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	86	86	25	0	197
Multi-Span	16	14	27	16	73
Culvert	82	36	0	0	118
Truss	1	1	5	0	7
Underwater Inspection	0	0	0	1	1
Fracture Critical Inspection	0	1	5	0	6
Load Rating**	67	35	16	5	123

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges

Project: SP03 - District (5, 6, &10), Total Structures = 355*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	132	126	29	0	287
Multi-Span	7	8	35	18	68
Culvert	108	62	4	0	174
Truss	0	0	8	0	8
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	0	8	1	9
Load Rating**	141	73	20	8	242

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

Project: SP04 - District (7, 8 &9), Total Structures = 426*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	150	125	29	0	304
Multi-Span	27	42	41	12	122
Culvert	135	93	30		231
Truss	0	1	5	1	7
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	2	4	1	7
Load Rating	180	81	27	2	290

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

Please note that the total number of structure types is estimated based on current SMS data query, and it may be adjusted when tasks are assigned in the future.

UNDERSTANDING

1. Inspections shall be completed by firm's full-time staff prequalified with ODOT for Level 1 bridge inspection according to the Manual of Bridge Inspection.
2. Task order are intended for maintaining compliance with the FHWA 23-Mertics, Ohio Revised Code, and ODOT policy manuals. Deadlines set by the task orders shall be respected.
3. All reports and records compiled under this agreement shall become the property of the City or Village and shall be housed in the City or Village. ODOT shall receive an electronic copy of plans, analysis files, reports and other items mentioned below.
 - a) CONSULTANT shall perform all applicable updates to SMS with new or revised information for structure inventory and appraisal data, inspections, scour, fracture critical members, and load ratings.
 - b) CONSULTANT shall submit copies of all reports and calculations electronically, or in hard copies when requested, to the City or Village for inclusion in their bridge records.
 - c) This includes, as applicable, a printed copy of the inspection report, Scour Plan-of-Action, Fracture Critical Plan, load rating report, gusset plate analysis, inspection procedures, and field measurement notes, digital pictures as well as a reproducible digital data file (.pdf, .doc, .xml, and .xls formats).
4. Copies of all transmittal letters related to this Task Order shall be submitted to Central Office, Office of Structural Engineering.
 - a) When required, CONSULTANTS shall locate the original construction plans, as-built, and shop drawings from archive locations specified by the municipality and upload them onto SMS.

Services to be furnished by CONSULTANT may include:

TASK 1 - SCOUR TASKS

Task 1A – Scour Critical Susceptibility NBIS Item 113) - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection. Deliverables include field notes, a completed Scour Critical Assessment Checklist as per Appendix I of the 2014 Manual of Bridge Inspection, and any other reference material needed for the bridge

owner to properly maintain their bridge files. Channel photos or cross sections maybe tasked under this item if assigned.

Task 1B - Scour Plan-of-Action - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection Appendix H for the scope of this task. Deliverables include a completed Scour Plan-of-Action, field notes, calculations, and any other reference material needed by bridge owner to maintain bridge files.

TASK 2 – LOAD RATING TASKS

Task 2A - Field Measurements for Load Rating - Should no plans exist or if additional information is required, each main member shall be field measured for load rating. The condition of the member should be noted on the field documentation. All measurements shall be included in the load rating report.

Task 2B - Load Rating Calculations – A bridge carrying vehicular traffic shall be rated to determine the safe load carrying capacity. The CONSULTANT shall review existing bridge plans and inspection reports and other inspection information such as photographs and estimates of section loss for bridge members and connections. The analysis for existing structures shall be performed for AASHTO HS20-44 [MS 18] (truck, lane, & military) loading for both inventory and operating levels, and for the four Ohio Legal Loads including the special hauling vehicles (2F1, 3F1, 4F1, and 5C1, SU4, SU5, SU6, SU7, EV2, and EV3) at operating level. The CONSULTANT shall try to complete the load rating analysis utilizing BrR (Virtis) at first. Hand-calculations or Spreadsheets if BrR is not applicable. The BrR analysis file, other load rating files, and BR100 shall be included with the submittal to OSE.

The inventory and operating ratings shall be coded as per the most recent version of the ODOT Bridge Inventory Coding Guide. Update SMS Inventory with the load rating results and upload BR100 pdf file.

The electronic deliverable shall include if applicable an Excel spreadsheet or other files used for analysis for each bridge which shall include the member areas, member capacities both with and without section loss, influence lines (can be the ordinates or graph of the lines), dead loads and dead load stresses in members, live loads and live load stresses in members for all truck loadings and the load ratings of the members. Truck loadings to be used for the ratings are specified in BDM Section 900.

The Load Rating Report shall be prepared by a registered or non-registered engineer and it shall be checked, signed, sealed and dated by an Ohio Registered Professional Engineer.

The Load Rating Report shall explain the method used to calculate the load rating of each bridge.

AASHTO Load Factor Rating (LFR) shall be utilized for all bridges not designed by Load and Resistance Factor Design. AASHTO Load and Resistance Factor Rating (LRFR) shall be utilized for all structures designed for HL93 loading starting October 2010.

Load Rating Report Submittal to the City or Village shall include:

- a. Two (2) printed copies and one electronic pdf copy of the Load Rating Report for each bridge.
- b. Final summary of inventory and operating ratings for each member and the overall ratings of the structure shall be presented for each live load truck. An acceptable format is ODOT form BR-100.
- c. Analysis program input files. Both input and output files shall be submitted when programs other than BrR or spreadsheets are used.
- d. All calculations related to the load rating.
- e. If applicable, the weight limits posting recommendations including a copy of the standard posting sign; such as R12-1 (24" x 30"), R12-H5 (30" x 48"), and R12-H7 (30" x 30").

TASK 3 – SMS STRUCTURE INVENTORY AND REVIEW

The scope of this task includes a limited review of the structure inventory data in the ODOT SMS. In general, the CONSULTANT shall review specific existing ODOT bridge inventory records (as provided by the City and approved by ODOT) of the designated bridge. The CONSULTANT may download the inventory report, which contains inventory data for each bridge on file with ODOT from the ODOT website. The CONSULTANT shall verify this data and determine if the ODOT SMS structure file information needs changing. If no changes are necessary, then no SMS inventory needs to be filled out. If changes are necessary, the scope of this task shall also include completing and filing inventory updates (and supplements, as needed) in SMS. The CONSULTANT shall refer to the ODOT Office of Structural Engineering Inventory and Coding Guide of SMS for inventory coding details.

TASK 4 – INSPECTION PROCEDURES

Task 4A – Fracture Critical Plan – A Fracture Critical Member Plan and inspection procedure shall be developed and updated. For more details, refer to Chapter 4: Inspection Types in the Manual of Bridge Inspection. It shall include:

1. Sketches of the superstructure with locations of all fatigue and fracture prone details identified.
 - a. Use framing plan or schematic with detail locations labeled and a legend explaining each labeled item on the scheme.

- b. Use an elevation view for trusses.
 - c. Classify similar fatigue/fracture prone details as types (e.g. end of partial cover plate).
- 2. A table or location of important structural details indicating:
 - a. Type of detail (e.g. end of partial cover plate, short web gap, etc.)
 - b. Location of each occurrence of detail
 - c. AASHTO Fatigue Category of detail
 - d. Identify retrofits previously installed
- 3. Risk Factors Influencing the inspector access.

Photos and sketches shall be properly referenced. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 4B – Underwater Inspection Procedures – An underwater inspection procedure shall be developed. For more details, refer to Chapter 4: Underwater Inspections in the Manual of Bridge Inspection. Please note that ODOT has recently revised Appendix F of the inspection manual. The diving team shall fill out or update the new form and upload it on SMS prior to performing the actual dives. Please contact OSE for a copy of a blank form if not uploaded on SMS at the time.

TASK 5 – BRIDGE INSPECTION

Task 5A – Routine Bridge Inspection (SMS Input) - Perform a routine field inspection of the structure to determine the general condition. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task. Section 1111 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) modified 23 U.S.C.144, requires Ohio to report bridge element level data for NBIS bridges on the National Highway System (NHS) to FHWA. A condition rating or element level inspection will be assigned. This task includes: Condition Rating Inspection for non-NBI structures, Condition Rating Inspection for NBI structures, and Element Level Inspection for NBI classified as NHS.

Task 5B – Fracture Critical Inspection - Perform a fracture critical field inspection of fracture critical items. The CONSULTANT shall update the FCM inspection procedure with current photos and descriptions. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 5C – Underwater Dive Inspection – Perform Underwater/ In-Water inspection of substructure units according to the cycle shown in SMS. Emergency underwater inspection may arise for specific structures over the duration of the contract period. Work shall be done in accordance with the reference manuals and inspection procedure. Scour risk shall be evaluated after field and data collection.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: August 6, 2019

Doug Elliott

Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

July 29, 2019

Date Prepared

Agenda Title: An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. for 148.258 Acres Of Land In The Township Of Oxford, Butler County Ohio, And Accepting Said Territory To Be Annexed.

Recommendation: Adopt the Ordinance.

Discussion:

Miami University and the City of Oxford submitted on April 19, 2019 an annexation petition to the Butler County Commissioners. (The procedure utilized was Expedited Type II Annexation). The petition proposed to annex five parcels of land (part of Miami University Airport) totaling 148.258 acres off of Fairfield and Brookville Roads next to the Oxford Community Park. The primary reason for the annexation is to enable the City to lower the speed limit and consider other improvements for pedestrian and driver safety near the entrance to the Oxford Community Park off of Fairfield Road. The City Manager served as the agent for the petitioner. The County Commissioners approved the annexation on May 20, 2019. The last step is for City Council to adopt an Ordinance Accepting the Annexation.

Approved By:

Initial Date

Department Head:

City Manager:

DRE \ 8-2-19

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 148.258 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

WHEREAS, on April 19, 2019 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 148.258 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.

WHEREAS, the Board of County Commissioners did, by Resolution No.19-05-00904 adopted on May 20, 2019, 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.7076 a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

WHEREAS, 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 May 29, 2019.

WHEREAS, 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 sixty days.

SECTION 1: The proposed annexation, as applied for in the petition of the owner 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. 7076 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 2: 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 3: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 7076

A 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 PETITIONER, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

WHEREAS, the City of Oxford desires to lower the speed limit and initiate other improvements for pedestrian, cyclist and motorist safety near the entrance to the Oxford Community Park which is currently outside of the City limits; and

WHEREAS, Oxford Codified Ordinance Section 921.39 E. states in part "The property or properties served by the extension of a municipal utility shall be required to annex into the City upon the official request of the City".

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council, having received the notification of a petition for annexation from The President and Trustees of The Miami University of Oxford, Ohio for 148.258 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.

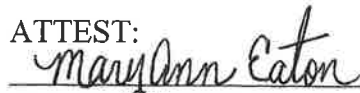
SECTION 4: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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


MAYOR

ADOPTED: May 7, 2019

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 7075

A RESOLUTION ACCEPTING THE ANNEXATION PETITION TO THE CITY OF OXFORD, OHIO OF CERTAIN 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 PETITIONER, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

WHEREAS, the City of Oxford desires to lower the speed limit and initiate other improvements for pedestrian, cyclist, and motorist safety near the entrance to the Oxford Community Park which is currently outside of the City limits; and

WHEREAS, the City Manager recommends Council accept the annexation petition from The President and Trustees of The Miami University of Oxford, Ohio for 148.258 acres of land off of Fairfield Road in the Township of Oxford, Butler County, Ohio.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council, having received the notification of a petition for annexation from The President and Trustees of The Miami University of Oxford, Ohio for 148.258 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

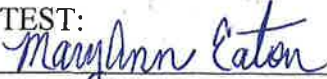
SECTION 2: Council hereby consents to the annexation petition from The President and Trustees of The Miami University of Oxford, Ohio for 148.258 acres of land in the Township of Oxford, Butler County, Ohio in accordance with Ohio Revised Code Section 709.023(D).

SECTION 3: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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


MAYOR

ADOPTED: May 7, 2019

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 7077

A RESOLUTION REGARDING ZONING BUFFERS IN A PROPOSED ANNEXATION OF PROPERTY CONTAINING 148.258 ACRES FROM OXFORD TOWNSHIP, BUTLER COUNTY, OHIO TO THE CITY OF OXFORD, BUTLER COUNTY, OHIO PURSUANT TO THE REQUIREMENT OF SECTION 709.023(C) OF THE OHIO REVISED CODE.

WHEREAS, the City of Oxford desires to lower the speed limit and initiate other improvements for pedestrian, cyclist and motorist safety near the entrance to the Oxford Community Park which is currently outside of the City limits.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council, having received the notification of a petition for annexation from The President and Trustees of The Miami University of Oxford, Ohio for 148.258 acres of land in the Township of Oxford, Butler County, Ohio ("the Territory"), hereby accepts said petition.

SECTION 2: If the Territory becomes subject to zoning by the City and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the Territory was annexed, City Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

SECTION 3: The Clerk is hereby directed to forward a certified copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

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



MAYOR

ADOPTED: May 7, 2019

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Date: January 25, 2019
 Description: 148.258 Acres
 Annexation
 Location: Oxford Township
 Butler County County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River and being 148.258 acres of land in Part of Lot #1 and Lot #2 located in Section 29, Town 5, Range 1 East, Oxford Township, Butler County, Ohio and Part of Lot #6 located in Section 28, Town 5, Range 1 East, Oxford Township, Butler County, Ohio and being the lands of The President and Trustees of the Miami University as recorded in Deed Book 357, Page 443 (Part of Lot #1 and Part of Lot #2), Deed Book 358, Page 44 (Part of Lot #2) and Official Record 6382, Page 1455 (Part of Lot #6) and Official Record 6538, Page 2300 (Part of Lot #6) of the Butler County, Ohio Recorder's Office and being further described as follows;

Beginning at the northeast corner of said Section 29 and being the northwest corner of said Section 28 and being the **True Point of Beginning**;

thence, leaving the northeast corner of said Section 29 and with the northerly of said Section 28, South 87° 51' 08" East, 587.89 feet to the northwest corner of Lot #3436 and being the lands of City of Oxford, Ohio as recorded in Official Record 6270, Page 477 of the Butler County, Ohio Recorder's Office;

thence, leaving the northerly line of said Section 28 and with the northerly boundary of said Lot #3436, South 49° 52' 38" West, 801.14 feet to the westerly boundary of said Lot #3436 and being the westerly boundary of Lot #6;

thence, leaving the northerly boundary of said Lot #3436 and with the westerly boundary of said Lot #3436 and with the westerly boundary of said Lot #6, South 02° 40' 22" West, 1404.31 feet to the northeast corner of Lot #3437 and being the lands of City of Oxford, Ohio as recorded in Official Record 6282, Page 1455 of the Butler County, Ohio Recorder's Office;

thence, leaving the westerly boundary of said Lot #3436 and the westerly boundary of said Lot #6 and with the northerly boundary extended of said Lot #3437 and with the northerly boundary of Lot #3438 and being the lands of City of Oxford, Ohio as recorded in Official Record 6538, Page 2298 of the Butler County, Ohio Recorder's Office, North 87° 19' 38" West, 100.00 feet to the northwest corner of said Lot #3438;

thence, leaving the northerly boundary of said Lot #3438 and with the westerly boundary of said Lot #3438, South 02° 40' 22" West, 696.00 feet to the southerly boundary of said Lot #2;

thence, leaving the southerly boundary of said Lot #2 and continuing the westerly boundary of said Lot #3438, South 02° 28' 08" West, 894.37 feet to the centerline of Brookville Road;

thence, leaving the westerly boundary of said Lot #3438 and with the centerline of said Brookville Road for the following three courses:

- 1) South 84° 00' 05" West, 98.86 feet;
- 2) South 83° 07' 35" West, 1558.01 feet;

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
 Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
 513-336-6600 513-523-4270 513-834-6151

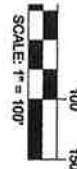
209 Grandview Drive
 Fort Mitchell, KY 41017
 859-261-1113

<http://www.bayerbecker.com>

- 3) South 81° 44' 39" West, 25.66 feet to the easterly boundary of Lot #4 and being the southeast corner of the lands of The President and Trustees of the Miami University as recorded in Deed Book 358, Page 161 of the Butler County, Ohio Recorder's Office;
- thence, leaving the centerline of said Brookville Road and with the easterly boundary of said Lot #4 and with the easterly boundary of Lot #3 and being the lands of Miami University as recorded in Deed Book 357, Page 528 of the Butler County, Ohio Recorder's Office, North 02° 21' 16" East, 3791.88 feet to the southerly line of said Section 29 and being the northeast corner of the lands of The President and Trustees of the Miami University as recorded in Deed Book 357, Page 528 of the Butler County, Ohio Recorder's Office;
- thence, leaving the easterly boundary of said Lot #3 and with the southerly line of said Section 29, South 87° 58' 10" East, 1767.98 feet to the southwest corner of Lot #3231 and being the lands of Southwestern Ohio Seniors' Services, Inc., as recorded in Official Record 5417, Page 467 of the Butler County, Ohio Recorder's Office;
- thence, leaving the southwest corner of said Lot #3231 and with the northerly line of said Section 29, South 87° 51' 08" East, 9.37 feet to the **True Point of Beginning**, containing 6,458,099 square feet or 148.258 acres of land more or less of which 3.636 acres of land are located in Section 28 and 144.622 acres of land are located in Section 29 and being subject to all easements, legal highways, restrictions and rights-of-way of record.



Base of Bearing:
ASSUMED MERIDIAN



SURVEY REFERENCES

S.V. 16, PG. 57
S.V. 18, PG. 145
S.V. 26, PG. 229
S.V. 27, PG. 166
S.V. 30, PG. 216
S.V. 30, PG. 217
S.V. 34, PG. 69
S.V. 37, PG. 23
S.V. 38, PG. 170
S.V. 42, PG. 183
S.V. 43, PG. 28
S.V. 43, PG. 29
S.V. 47, PG. 187
S.V. 49, PG. 176
S.V. 56, PG. 59
S.V. 56, PG. 80

① DENOTES OWNERSHIP
INFORMATION (SEE SHEET 2)

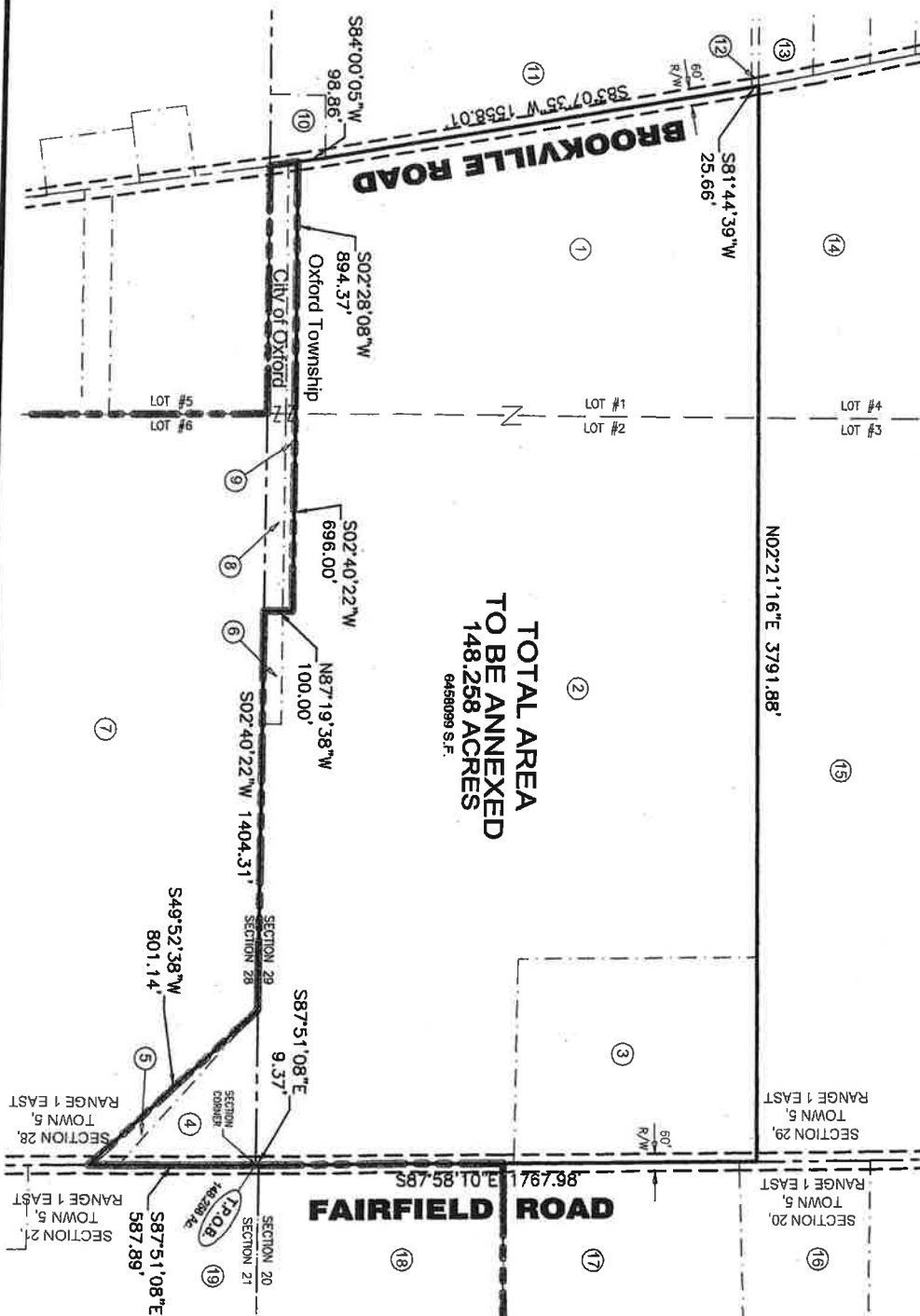
ACREAGE BREAKDOWN:

SECTION 29 = 144.622 ACRES
SECTION 28 = 3.636 ACRES

THIS ANNEXATION PLAT IS BASED
UPON DEEDS OF RECORD AND
OTHER SOURCE DOCUMENTS.
THIS PLAT IS NOT THE RESULT
OF A FIELD BOUNDARY SURVEY.

AREA SUMMARY (PER DEED)

PARCEL #H3510-032-000-001 - 14 ACRES (DEED)
PARCEL #H3510-032-000-002 - 40 ACRES & 80 ACRES (DEED)
PARCEL #H3510-031-000-018 - 3,000 ACRES (DEED)
PARCEL #H3510-031-000-019 - 0.636 ACRES (DEED)
PARCEL #H3510-032-000-051 - 0.606 ACRES (DEED)



148.258 ACRES

THE PRESIDENT AND TRUSTEES OF THE MIAMI UNIVERSITY
PART OF LOTS #1, #2 & #6 OF THE MIAMI UNIVERSITY LANDS
SECTIONS 28 & 29, TOWN 5, RANGE 1 EAST
CONGRESS LANDS WEST OF THE MIAMI RIVER
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT



110 S. College Avenue, Suite 101
Oxford, OH 45056 - 513.523.4270

Drawing	19-0004 AX
SHEET	1/2
Drawn by:	DDS
Checked by:	BRJ
Issue Date:	01-25-19

OWNER INFORMATION

- ① PART OF LOT #1
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
D.B. 357, PAGE 443 (40 ACRES DEED)
PARCEL #H3510-032-000-002
- ② PART OF LOT #2
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
D.B. 357, PAGE 443 (90 ACRES DEED)
PARCEL #H3510-032-000-002
- ③ PART OF LOT #2
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
D.B. 358, PAGE 44 (14 ACRES DEED)
PARCEL #H3510-032-000-001
- ④ PART OF LOT #6
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
O.R. 6382, PAGE 1455 (3.00 ACRES DEED)
PARCEL #H3510-031-000-018
- ⑤ PART OF LOT #6
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
O.R. 6538, PAGE 2300 (0.638 ACRES DEED)
PARCEL #H3510-031-000-019
- ⑥ PART OF LOT #2
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
O.R. 6538, PAGE 2300 (0.806 ACRES DEED)
PARCEL #H3510-032-000-051
- ⑦ LOT #3438
CITY OF OXFORD, OHIO
O.R. 6270, PG. 477 (110.044 ACRES DEED)
PARCEL #H4000-141-000-001
- ⑧ LOT #3437
CITY OF OXFORD, OHIO
O.R. 6282, PAGE 1455 (3.00 ACRES DEED)
PARCEL #H4000-141-000-003
- ⑨ LOT #3438
CITY OF OXFORD, OHIO
O.R. 6538, PAGE 2298 (1.239 ACRES DEED)
PARCEL #H4000-141-000-004
- ⑩ PART OF LOT #1
BOWLING ESTATES LTD.
O.R. 6017, PG. 146 (1.073 ACRES DEED)
PARCEL #H3510-032-000-040
- ⑪ PART OF LOT #1
BOWLING ESTATES LTD.
O.R. 6017, PG. 157 (65.697 ACRES DEED)
PARCEL #H3510-032-000-003
- ⑫ PART OF LOT #1
JOSEPH S. HESSELBROCK TR.
AND LARRY J. HESSELBROCK TR.
O.R. 9084, PG. 1706 (TRACT XIII)
(0.902 ACRES DEED)
PARCEL #H3510-032-000-026
- ⑬ PART OF LOT #4
THOMAS E. AND KAREN L. RUPP TRS.
O.R. 6831, PG. 878 (15.655 ACRES)
PARCEL #H3510-032-000-004
- ⑭ PART OF LOT #4
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
D.B. 358, PAGE 161 (25.700 ACRES DEED)
PARCEL #H3510-032-000-005
- ⑮ PART OF LOT #3
THE PRESIDENT AND TRUSTEES
OF THE MIAMI UNIVERSITY
D.B. 357, PAGE 528 (100.24 ACRES DEED)
PARCEL #H3510-032-000-007
- ⑯ PART OF LOT #4
JACK F. AND KAREN S. GROVE
D.B. 1616, PG. 589 (8.005 ACRES DEED)
PARCEL #H3510-020-000-010
- ⑰ PART OF LOT #1
JACK F. AND KAREN S. GROVE
D.B. 1592, PG. 467 (106.745 ACRES DEED)
PARCEL #H3510-020-000-008
- ⑱ LOT #3723
GARY M. PAULIN TR. ETAL
O.R. 8627 PG. 999
PARCEL #H4100-039-000-001
- ⑲ LOT #3231
SOUTHWESTERN OHIO SENIORS' SERVICES, INC.
O.R. 5417 PG. 467
PARCEL #H4100-022-000-025

148.258 ACRES

THE PRESIDENT AND TRUSTEES OF THE MIAMI UNIVERSITY
PART OF LOTS #1, #2 & #6 OF THE MIAMI UNIVERSITY LANDS
SECTIONS 28 & 29, TOWN 5, RANGE 1 EAST
CONGRESS LANDS WEST OF THE MIAMI RIVER
OXFORD TOWNSHIP, BUTLER COUNTY, OHIO

ANNEXATION PLAT



110 S. College Avenue, Suite 101
Oxford, OH 45056 - 513.523.4270

Drawing:	19-0004 AX
SHEET	2/2
Drawn By:	DDS
Checked By:	BRJ
Issue Date:	01-25-19

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

8/6/2019

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

7/30/2019

Date Prepared

Agenda Title: 2019 Supplemental Budget #7

Recommendation: Approve

Issue 1

To make adjustment to budget for Water Improvement Fund from unencumbered balance - \$90,000 The sole water main serving Springwood Subdivision (SR73) is not in the public Right of Way or in a utility easement. The lawyer for the private property owner has asked the City to abandon this main as it sits adjacent to their home's foundation. City staff has designed a new water main that will be installed by City crews later in 2019. (pending permits from OEPA, ODOT, and BCEO)

Action Needed:

Revenue Side

N/A

Expense Side

Water Improvement Fund (322) 90,000.00 Increase for water main materials

Net Effect on Fund Balance/(s) (90,000.00)
Increase/(Decrease)

Total Net Effect on Fund Balance/(s) (90,000.00)
Increase/(Decrease)

Breakdown by Fund

Water Improvement Fund (322) (90,000.00)

Net Effect on Fund Balance/(s) (90,000.00)
Increase/(Decrease)

Approved By:

Department Head:

City Manager:

Initials

Date

DRE

7/31/19

8/2/19

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3493. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 7 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

Water Improvement Fund 322	90,000.00
----------------------------	-----------

SECTION 3: In all other respects, Ordinance No. 3493 shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)