Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 2, 2008

EXECUTIVE SESSION

1. Roll Call. Prudence Z. Dana, Mayor; Ken Bogard, Vice-Mayor; Doug Ross; Kate Currie; Alysia Fischer; Richard Keebler; Greig Rutherford

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

REGULAR MEETING
8:00 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation - 'Paul Brown Day'

Paul Brown Day

B. Notice to Legislative Authority - Transfer to Hui Juan Inc. DBA Phan Shin 104 W. High St. Oxford, Ohio 45056 from Kam Suy Siv DBA Phan Shin 104 W. High St. Oxford, Ohio 45056.

C. Notice to Legislative Authority - Transfer to Stella 12 Beech LLC DBA Stella 12 Beech 1st Floor 12 S. Beech Oxford, Ohio 45056 from Lottie Moons LLC 12 S. Beech St. 1st Floor Oxford, Ohio 45056.

Liquor Permit Documentation

D. Appointments to Boards and Commissions.

E. Public Comments

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

4. Consent Agenda.

A. Minutes of the August 19, 2008 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)

Work Session Minutes

B. Minutes of the August 19, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

8.19Minutes

C. Report regarding the August 12, 2008 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Planning Commission Report

D. Report regarding the August 20, 2008 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

BZA Report

E. A Resolution authorizing the City manager to permit the Oxford Chamber of Commerce to hold the annual Wine Tasting Affair in the Uptown Parks. (Doug Elliott, City Manager)

Staff Report/Resolution

F. A Resolution supporting the Talawanda School District's proposed Bond Issue. (Doug Elliott, City Manager)

Staff Report/Resolution

G. A Resolution amending the Planning Commission's Rules of Procedure. (Jung-Han Chen, Community Development Director)

Staff Report/Resolution

H. A Resolution amending the Historic and Architectural Preservation Commission's Rules of Procedure. (Jung-Han Chen, Community Development Director)

Staff Report/Resolution

I. A Resolution authorizing the City Manager to enter into a contract with Arcadis Engineering for additional engineering and design work for projects and improvements at the Wastewater Treatment Plant at a cost not to exceed $230,000.00. (Mike Dreisbach, Service Director)

Staff Report/Resolution

J. A Resolution accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)

Staff Report/Resolution

5. Resolutions.

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

Staff Report/Resolution

B. A Resolution accepting the bid and authorizing the City Manager to enter into a contract with Jackson Construction, Inc. for the CDBG sidewalk and handicap ramp improvements project at a not to exceed cost of $97,570.00 (Mike Dreisbach, Service Director)

Staff Report/Resolution

C. A Resolution of support to amend the Oxford Thoroughfare Plan, for inclusion of the Northwest Butler County Transportation Study's recommendation of a connector road between US-27 and State Route 73. (Doug Elliott, City Manager) (Tabled)

Staff Report/Resolution

D. D. A Resolution No. 4385 authorizing the City Manager to enter into an agreement to settle Case No. 2008-03-1138, and to deposit additional funds in the amount of $16,500.00 with the Butler County Clerk of Courts in connection with that settlement. (Mike Dreisbach, Service Director)

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

A. First Reading.

1.An Ordinance Amending The Oxford Code Of Ordinances By Repealing Section 351.16, Snow Routes And Adopting New Section 351.16, Snow Routes To Prohibit Parking On Snow Routes Within The City During Any Level Of Snow Emergency. (Mike Dreisbach, Service Director)

Staff Report/Ordinance

2.An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 54.577 Acres Of Land Abutting Fairfield And Contreras Roads, Oxford, Ohio And Rezoning The Property From Agricultural (County) To R1B (Single-Family Medium Density Residential) Zoning District. (Jung-Han Chen, Community Development Director)

Staff Report/Ordinance/Related Documents

B. Second Reading.

1.An Ordinance Amending Ordinance No. 2990 Supplemental Budget Ordinance No. 2 To Make supplemental Appropriations For Fiscal Year 2008. (Joe Newlin, Finance Director)

Staff Report/Ordinance

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

A. Announcements.

1.Remarks from City Council and City staff.

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

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

TUES- Sept 9 Records Commission Meeting 5:30 p.m. Municipal Building 2nd Floor Conference Room

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

THUR- Sept 11 Police Advisory Board 7:00 p.m. Senior Citizens Center

MON - Sept 15 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

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

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

THUR- Sept 18 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

WED - Sept 24 Environmental Commission Meeting 7:00 p.m. Municipal Building 2nd Floor Conference Room

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

8. Adjourn

Paul Brown was born in Norwalk, Ohio on September 7, 1908, and was a proud, lifelong son of the Great State of Ohio; and

WHEREAS, Paul played football for and graduated from Massillon Washington High School and later coached the Tigers, where he compiled a record of 80 wins, 8 losses and 2 ties in 8 years; and

WHEREAS, Paul attended Miami University in Oxford, Ohio graduating with a Bachelors Degree and was quarterback for the football team and centerfielder for the baseball club; and

WHEREAS, Paul attended Ohio State University, graduating with a Masters Degree and later served as head coach of the Buckeyes, where he compiled a record of 18 wins, 8 losses and a tie in three seasons while coaching the team to their first national championship in 1942; and

WHEREAS, Paul became the founder and head coach of the Cleveland Browns of the All American Football Conference, winning the AAFC championship 4 times; and

WHEREAS, Paul signed African-American players to the Browns roster and was instrumental in breaking the existing color barrier and integrating professional football; and

WHEREAS, Paul took the Cleveland Browns to the National Football League, creating one of the most beloved teams in the NFL’s history and winning 3 NFL championships while ending his tenure with the Browns with a record of 114 wins, 48 losses and 5 ties; and

WHEREAS, Paul founded the Cincinnati Bengals in 1968, bringing professional Football to the Queen City; and

WHEREAS, Paul was inducted into the Professional Football Hall of Fame in Canton, Ohio, and is regarded as among the most innovative coaches ever, who’s influence is still felt in the game today; and

WHEREAS, Paul was buried in his beloved Massillon, Ohio upon his death in 1991.

NOW, THEREFORE, I, Prudence Z. Dana, Mayor of the City of Oxford, Ohio, do hereby proclaim September 7, 2008, as:

‘**PAUL BROWN DAY**’

in the City of Oxford in commemoration on what would have been his 100th birthday.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 29th day of August, 2008.

____

PRUDENCE Z. DANA, MAYOR

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: 08/19/08

Account Code No. #: see below

Budgeted Amount: ____________

Finance
Originating Department

Heidi Hill
Prepared By

08/13/08
Date Prepared

Agenda Title: **2008 SUPPLEMENTAL BUDGET #3**

Recommendation: Approve

Discussion:

Supplements to the 2008 Budget

General Fund

Community Assistance
Oxford Visitor's & Convention Bureau
15,000.00

Additional appropriation needed to assist the VCB in relocating their office and the additional leasing cost of the building they intend to lease. Attached are the year to date 2008, 2007, and 2006 spreadsheets of the receipts of the hotel tax and the calculation of the amount of hotel tax and budget subsidy that the City gives to the VCB monthly.

Advance to Capital Improvement **483,000.00**

A temporary advance is needed to the Capital Improvement Fund in order to be compliant with the budget appropriation for 2008. Once purchase orders are reversed out later this year, the money can be returned to the General fund at the beginning of 2009.

Parks & Recreation
Professional Services **13,050.00**
From additional revenue
Additional appropriation is needed to pay for professional services for the SAY Soccer League.
SAY Soccer decided to implement a new Spring League in January of this year, after the completion of the 2008 budget process. The Parks & Recreation department process the SAY soccer registrations and keep a 5% administration fee, therefore this request does not cost the City additional funds.

Approved By:		**Initial Date**
	Department Head:	8/14/08
	City Manager:	8/17/08

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 2990. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008.

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

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

SECTION 2: The following additional appropriations are hereby made:

GENERAL FUND From fund balance and additional revenue	511,050.00

SECTION 3: In all other respects, Ordinance No. 2990 shall remain in full force and effect.

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

____
MAYOR

ADOPTED: ________________

ATTEST:

____
DEPUTY CLERK OF CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

HOTEL & CONVENTION TAX 2008

	Actual Monies Received	Hotel Tax	Convention Tax	One half Conv Tax due VCB	2008 Budget Subsidy	Total Amount DueVCB	Actual Payment Made	Monthly Difference
January	12,362.00	6,181.00	6,181.00	3,090.50	4,625.00	7,715.50	7,715.50	0.00
February	14,535.88	7,267.94	7,267.94	3,633.97	4,625.00	8,258.97	8,258.97	0.00
March	26,784.70	13,392.35	13,392.35	6,696.18	4,625.00	11,321.18	11,321.18	0.00
April	39,983.52	19,991.76	19,991.76	9,995.88	4,625.00	14,620.88	14,620.88	0.00
May	29,958.28	14,979.14	14,979.14	7,489.57	4,625.00	12,114.57	12,114.57	0.00
June	31,339.07	15,669.54	15,669.54	7,834.77	4,625.00	12,459.77	12,459.77	0.00
July	39,299.20	19,649.60	19,649.60	9,824.80	4,625.00	14,449.80	14,449.80	0.00
August		0.00	0.00	0.00	4,625.00	4,625.00		(4,625.00)
September		0.00	0.00	0.00	4,625.00	4,625.00		(4,625.00)
October		0.00	0.00	0.00	4,625.00	4,625.00		(4,625.00)
November		0.00	0.00	0.00	4,625.00	4,625.00		(4,625.00)
December		0.00	0.00	0.00	4,625.00	4,625.00		(4,625.00)
YTD				48,565.67	55,500.00	66,490.87	80,940.67	14,449.80
		Budget	81,000.00					
	194,262.65	97,131.33	97,131.33	48,565.67	55,500.00	66,490.87	80,940.67	
1st Quarter	53,682.58	26,841.29	26,841.29	13,420.65	13,875.00	27,295.65	27,295.65	
2nd Quarter	101,280.87	50,640.44	50,640.44	25,320.22	13,875.00	39,195.22	39,195.22	
3rd Quarter	39,299.20	19,649.60	19,649.60	9,824.80	13,875.00	23,699.80	14,449.80	
4th Quarter	0.00	0.00	0.00	0.00	13,875.00	13,875.00	0.00	
YTD	194,262.65	97,131.33	97,131.33	48,565.67	55,500.00	104,065.67	80,940.67	

Effective July 2006
Amount to be paid monthly is
One half Conv Tax due VCB
plus 2008 Subsidy

HOTEL & CONVENTION TAX 2007

	Actual Monies Received	Hotel Tax	Convention Tax	One half Conv Tax due VCB	2007 Budget Subsidy	Total Amount DueVCB	Actual Payment Made	Monthly Difference
January	13,711.97	6,855.99	6,855.99	3,427.99	4,395.83	7,823.82	7,823.82	(0.00)
February	17,280.98	8,640.49	8,640.49	4,320.25	4,395.83	8,716.08	8,716.08	(0.00)
March	25,370.11	12,685.05	12,685.06	6,342.53	4,395.83	10,738.36	10,738.36	(0.00)
April	33,826.90	16,913.45	16,913.45	8,456.73	4,395.83	12,852.56	12,852.56	(0.00)
May	29,751.17	14,875.59	14,875.59	7,437.79	4,395.83	11,833.62	11,833.62	(0.00)
June	29,940.73	14,970.38	14,970.37	7,485.17	4,395.83	11,881.00	11,881.00	(0.00)
July	40,658.23	20,329.12	20,329.12	10,164.56	4,395.83	14,560.39	14,560.39	(0.00)
August	29,965.20	14,982.60	14,982.60	7,491.30	4,395.83	11,887.13	11,887.13	(0.00)
September	32,940.58	16,470.29	16,470.29	8,235.15	4,395.83	12,630.98	12,630.98	(0.00)
October	28,297.43	14,148.72	14,148.72	7,074.36	4,395.83	11,470.19	11,470.19	(0.00)
November	43,321.27	21,660.64	21,660.64	10,830.32	4,395.83	15,226.15	15,226.15	(0.00)
December	26,763.24	13,381.62	13,381.62	6,690.81	4,395.87	11,086.68	11,086.68	0.00
YTD				87,956.96	52,750.00	140,706.96	140,706.96	(0.00)
	351,827.81	175,913.91	175,913.91	87,956.96	52,750.00	140,706.96	140,706.96	
Reduction	(11,766.15)							
in Revenue	340,061.66							
1st Quarter	56,363.06	28,181.52	28,181.53	14,090.77	13,187.50	27,278.26	27,278.26	
2nd Quarter	93,518.80	46,759.41	46,759.40	23,379.69	13,187.50	36,567.18	36,567.18	
3rd Quarter	103,564.01	51,782.01	51,782.01	25,891.01	13,187.50	39,078.51	39,078.50	
4th Quarter	98,381.94	49,190.97	49,190.98	24,595.49	13,187.50	37,783.02	37,783.02	
YTD	351,827.81	175,913.91	175,913.91	87,956.96	52,750.00	140,706.96	140,706.96	

Effective July 2006
Amount to be paid monthly is
One half Conv Tax due VCB
plus 2007 Subsidy

HOTEL & CONVENTION TAX 2006

	Actual Monies Received	Hotel Tax	Convention Tax	One half Conv Tax due VCB	2006 Budget Subsidy	Total Amount DueVCB	Actual Payment Made	Monthly Difference
January	12,976.12	6,488.06	6,488.06	3,244.03	3,562.50	6,806.53	6,488.06	(318.47)
February	14,897.58	7,448.79	7,448.79	3,724.40	3,562.50	7,286.89	7,448.79	161.90
March	21,743.83	10,871.92	10,871.92	5,435.96	3,562.50	8,998.46	10,871.91	1,873.45
April	27,815.61	13,907.80	13,907.80	6,953.90	3,562.50	10,516.40	13,907.79	3,391.39
May	38,173.65	19,086.83	19,086.83	9,543.41	3,562.50	13,105.91	11,283.45	(1,822.46)
June	26,335.31	13,167.66	13,167.66	6,583.83	3,562.50	10,146.33	10,000.00	(146.33)
July	28,235.62	14,117.81	14,117.81	7,058.91	3,562.50	10,621.41	7,481.93	(3,139.48)
August	32,395.42	16,197.71	16,197.71	8,098.86	3,562.50	11,661.36	11,661.36	0.00
September	29,691.33	14,845.67	14,845.67	7,422.83	3,562.50	10,985.33	10,985.33	0.00
October	27,314.39	13,657.20	13,657.20	6,828.60	3,562.50	10,391.10	10,391.10	0.00
November	33,599.25	16,799.63	16,799.63	8,399.81	3,562.50	11,962.31	11,962.31	(0.00)
December	32,336.57	16,168.29	16,168.29	8,084.14	3,562.50	11,646.64	11,646.65	0.01
YTD				81,378.69	42,750.00	124,128.68	124,128.68	0.00
	325,514.68	162,757.33	162,757.34	81,378.69	42,750.00	124,128.68	124,128.68	

1st Quarter	49,617.53	24,808.77	24,808.77	12,404.39	10,687.50	23,091.88	24,808.76
2nd Quarter	92,324.57	46,162.28	46,162.28	23,081.14	10,687.50	33,768.64	35,191.24
3rd Quarter	90,322.37	45,161.19	45,161.19	22,580.60	10,687.50	33,268.10	30,128.62
4th Quarter	93,250.21	46,625.11	46,625.11	23,312.56	10,687.50	34,000.06	34,000.06
YTD	325,514.68	162,757.33	162,757.34	81,378.69	42,750.00	124,128.68	124,128.68

Effective July 2006
Amount to be paid monthly is
One half Conv Tax due VCB
plus 2006 Subsidy

Oxford Chamber of Commerce

Stimulating Oxford area commerce by promoting existing business and attracting new enterprise within a vibrant business community

August 8, 2008

Dear Oxford City Council Members,

This past Tuesday, August 5, 2008, the Oxford Visitors and Convention Bureau came before council and requested additional funding. We, as a chamber, are writing to show our support for this proposal. They do a wonderful and successful job of bringing visitors to our beautiful city. With success also comes the need for expansion. The additional funds that they are requesting will help them stay in the uptown parks area as well as give them the space they need to foster their continued success.

Please be aware that due to the lease agreement (running through the 31st of March, 2011) between the Oxford Chamber and the Visitors & Convention Bureau we are asking that they facilitate finding a new tenant, as we are unable to incur that loss of income.

Thank you for your time and consideration. We hope that you grant the Oxford Visitors and Convention Bureau's request for additional funding.

Sincerely,
Oxford Chamber of Commerce

JoNell Rowan
President

30 W. Park Place, Second Floor • Oxford, Ohio 45056 • (513) 523-5200 • Fax: (513) 523-2308
email: jonell@oxfordchamber.org • www.oxfordchamber.org

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 2, 2008

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 28, 2008
Date Prepared

Agenda Title: Legislative Authority Notice - Transfer from Kam Suy Siv DBA Phan Shin 104 W. High Street, Oxford, Ohio 45056 to Hui Juan Inc., DBA Phan Shin 104 W. High Street, Oxford, Ohio 45056.

Recommendation:

Discussion: This is the transfer of a permit for Phan Shin Restaurant.

The permit is for:

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

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

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

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DKE	8/29/07

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD
P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005

TO

4062136 PERMIT NUMBER	TRFO TYPE	HUIJUAN INC DBA PHAN SHIN 104 W HIGH ST OXFORD OHIO 45056
06 01 2007 ISSUE DATE		
08 18 2008 FILING DATE		
D1 D2 PERMIT CLASSES		
09 088 TAX DISTRICT A	F99086 RECEIPT NO.	

FROM 08/20/2008

8198848 PERMIT NUMBER	TYPE	KAM SUY SIV DBA PHAN SHIN 104 W HIGH ST OXFORD OHIO 45056
06 01 2007 ISSUE DATE		
08 18 2008 FILING DATE		
D1 D2 PERMIT CLASSES		
09 088 TAX DISTRICT	RECEIPT NO.	

RECEIVED
AUG 22 2008
City of Oxford

MAILED 08/20/2008 RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/22/2008

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 4062136
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

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

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

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

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	4062136

OHIO DEPARTMENT OF COMMERCE
DIVISION OF LIQUOR CONTROL
6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
Telephone: (614) 644-2431 http://www.liquorcontrol.ohio.gov

OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. **(This form must accompany all applications of a corporate business entity)**

Name of Corporation HUIJUAN, INC.	DBA Name DBA PHAN SHIN
Permit Premises Address 104 W. HIGH ST.	City, State OXFORD, OH Zip Code 45056
Township, if in Unincorporated Area	Tax Identification No. (TIN) 26-2387471

SECTION B.

1. Is stock publicly traded? ☐ YES ☒ NO
   If "YES", indicate exchange ____________ & Do NOT complete SECTION D.
2. Does any stockholder own 5% or more shares? **If YES, complete SECTION D.** ☒ YES ☐ NO
3. Total Number of shares issued 1,000

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

SECTION C. List the top five (5) officers of the captioned corporation. **If an office is NOT held please indicate by writing NONE.**

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO CUN HUI YANG	[redacted]	10/7/1982
2) President CUN HUI YANG	[redacted]	10/7/1982
3) Vice-President NONE		
4) Secretary CUN HUI YANG	[redacted]	10/7/1982
5) Treasurer CUN HUI YANG	[redacted]	10/7/1982

SECTION D. Stockholders holding 5% or more outstanding shares. **Note: If you answered Question 1 YES, do not complete this section**

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) **Stockholder's Name** CUN HUI YANG	Social Security No. (if Indiv [redacted]	**NUMBER OF SHARES HELD (NOT PERCENTAGE)**
Residence Address 210 B. FOXFIRE DR.	Tax Identification No. (if applicable) [redacted]	
City and State OXFORD, OHIO	Zip Code 45056	1,000
Telephone No. 513-523-1020	Date of Birth 10/7/1982	
2) **Stockholder's Name**	Social Security No. (if Individual)	**NUMBER OF SHARES HELD (NOT PERCENTAGE)**
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO, HAMILTON **COUNTYss**

I, CUN HUI YANG being first duly sworn, according to law, deposes and says that he/she is (Title) President of the HUIJUAN, INC. , a corporation duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) X [signature] (Print Name and Corporate Title) CUN HUI YANG, President

Sworn to and subscribed in my presence this 11th day of August, 2008

[signature] (Notary Public) 7/31/2010 Date Commission Expires

NOTARIAL SEAL STATE OF OHIO

ROY KIN-FAI CHAN
Notary Public, State of Ohio
My Commission Expires July 31, 2010

DLC4030 EOE/ADA SERVICE PROVIDER FOR TTY USERS DIAL 1-800-750-0750 Rev. 01/08

Ohio.gov So much to Discover

Forms
Contacts
F.A.Q's

WELCOME TO THE
Division of Liquor Control

Types Of Permits

PERMIT CLASSES & FEE

MANUFACTURER

A1	$ 3,906	ORC 4303.02 Manufacturer of beer, ale, stout and other malt liquors
A1A	$ 3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A2	$ 76	ORC 4303.03 Manufacturer of wine
A3	$ 3,906	ORC 4303.04 Manufacture, import and sell alcohol and spirituous liquor
A4	$ 3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, import for blended purposes
B2A	$ 25	ORC 4303.07 Sale of wine to retail permit holder.
S	$ 25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	$ 1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state

DISTRIBUTOR

B1	$ 3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor
B2	$ 500	ORC 4303.07 Distributor of bottled wine
B3	$ 124	ORC 4303.08 Distributor of sacramental wine
B4	$ 500	ORC 4303.09 Distributor of mixed beverages
B5	$ 1,563	ORC 4303.10 Distributor and importer and bottler of wine

RETAIL STORE CARRYOUT

C1	$ 252	ORC 4303.11 Beer only in original sealed container for carry out only
C2	$ 376	ORC 4303.12 Wine and certain prepackaged mixed drinks in sealed containers for carry out
C2X	$ 252	ORC 4303.121 Beer in original sealed containers for carry out
D8	$ 500	ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

RESTAURANT / NIGHT CLUB

D1	$ 376	ORC 4303.13 Beer only for on premises consumption or in sealed containers for carry out
D2	$ 564	ORC 4303.14 Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out
D2X	$ 376	ORC 4303.141 Beer only for on premises consumption or in sealed containers
D3	$ 750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	$ 300	ORC 4303.151 Wine only for on premises consumption only until 1:00am.
D3A	$ 938	ORC 4303.16 Extend issued permit privileges until 2:30am.
D5	$ 2,344	ORC 4303.18 Spirituous liquor for on premises consumption only, beer and wine for on premises, or off premises in original sealed containers, until 2:30am.
D5I	$ 2,344	ORC 4303.181 Beer and intoxicating liquor by the glass or container for on premises consumption only until 2:30am. (restaurants meeting certain criteria)

D7	$ 469	ORC 4303.183 Beer and any intoxicating liquor by the glass or container for consumption on the premises only until 2:30am. (RESORT area ONLY).

CLUB

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

HOTEL AND MOTEL

D5A	$ 2,344	ORC 4303.181 (Same as D5) for hotel or motel with 50 or more rooms for transient guests

ENCLOSED SHOPPING MALL

D5B	$ 2,344	ORC 4303.181 (Same as D5) for enclosed shopping mall

RIVER BOATS

D5E	$ 1,219	ORC 4303.181 Beer and intoxicating liquor for on premises consumption only, until 2:30am. (historical river boat owned by charitable organization only)

MARINAS

D5F	$ 2,344	ORC 4303.181 Beer and intoxicating liquor by the glass or container for on premises consumption only until 2:30am.(marina restaurant only)

MUSEUMS

D5G	$ 1,875	ORC 4303.181 Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(national sports museum only)
D5H	$ 1,875	ORC 4303.181 Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(fine arts museum only)

COMMUNITY ENTERTAINMENT DISTRICT

D5J	$ 2,344	Spirituous liquor for on premises consumption only, beer and wine for on premises and off premises in original sealed containers, until 2:30am. (for a community entertainment district)

SUNDAY SALES

D6	$ 400-c $ 500-d	ORC 4303.182 Sale of intoxicating liquor on Sunday between the hours 1:00pm and midnight.

OTHER

D5K	$ 1,875	Sale of beer and intoxicating liquor for on premises consumption issued to certain non profit organizations that own and operate a botanical garden.
E	$ 500	ORC 4303.19 Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft
G	$ 100	ORC 4303.21 Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes)
H	$ 300	ORC 4303.22 PUCO motor carrier to transport beer, intoxicating liquor and alcohol, also to railroad
I	$ 200	ORC 4303.23 Wholesale druggist (purchase - import alcohol for sale at wholesale and retail)

TEMPORARY PERMITS

F	$ 40	ORC 4303.20 Valid for beer only until 1:00am. (Temporary - 5 days)
F1	$ 250	ORC 4303.201 Temporary "Special Function" permit (3 days) (allows B.Y.O.B. by a nonprofit organization at Municipal Convention Center)
F2	$ 150	ORC 4303.202 Temporary permit (48 hours) beer and any intoxicating liquor by glass or container on premises only until 1:00am.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 2, 2008

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 28, 2008
Date Prepared

Agenda Title: Legislative Authority Notice - Transfer from Lottie Moons LLC 12 S. Beech Street 1st Floor Oxford, Ohio 45056 to Stella 12 S. Beech Street 1st Floor Oxford, Ohio 45056.

Recommendation:

Discussion: This is the transfer of a permit for Stella Restaurant.

The permit is for:

D2 - Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out.
D2X - Beer only for on premises consumption or in sealed containers.
D3 - Spirituous liquor for on premises consumption only until 1:00 a.m.
D3A - Extend issued permit privileges until 2:30 a.m.
D6 - Sunday sales.

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

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DRB	8/28/08

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD
P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005

TO

8538456 PERMIT NUMBER			TRFO TYPE	STELLA 12 BEECH LLC DBA STELLA 12 BEECH 1ST FL 12 S BEECH OXFORD OH 45056
06 01 2008 ISSUE DATE				
08 19 2008 FILING DATE				
D2 D2X D3 D3A D6 PERMIT CLASSES				
09 TAX DISTRICT	088	A	F99090 RECEIPT NO.	

FROM 08/21/2008

5304060 PERMIT NUMBER			TYPE	LOTTIE MOONS LLC 12 S BEECH ST 1ST FL OXFORD OHIO 45056
06 01 2008 ISSUE DATE				
08 19 2008 FILING DATE				
D2 D2X D3 D3A D6 PERMIT CLASSES				
09 TAX DISTRICT	088		RECEIPT NO.	

RECEIVED
AUG 22 2008
City of Oxford

MAILED 08/21/2008 RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/22/2008

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 8538456
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

Print Form

FOR OFFICE USE ONLY
NEW TRANSFER
PERMIT # 8538456

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL

6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr

2008 JUN 14 PM 1:20

LIMITED LIABILITY COMPANY DISCLOSURE FORM

(This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company: Stella 12 Beech, LLC.	DBA Name: Stella 12 Beech	
Permit Premises Address: 12 S. Beech	City, State: Oxford, Ohio	Zip Code: 45056
Township, if in Unincorporated Area:	Tax Identification No. (TIN): 26-2060298	

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

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

SECTION B. List the top five (5) officers of the captioned business. **If an office is NOT held, please indicate by writing NONE.**

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

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

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name: Thomas G. Uhl	Social Security No. (if individual):	☐ Managing Member
Residence Address: 6637 Contreras Road	Tax Identification No. (if applicable):	☐ 5% or greater voting interest
City and State: Oxford, Ohio	Zip Code: 45056	☒ 5% or greater membership interest
Telephone No.: (513) 382-8976	Date of Birth: 07-13-1944	
2) Name: Cher C. Uhl	Social Security No. (if individual):	☐ Managing Member
Residence Address: 6637 Contreras Road	Tax Identification No. (if applicable):	☐ 5% or greater voting interest
City and State: Oxford, Ohio	Zip Code: 45056	☒ 5% or greater membership interest
Telephone No.: (513) 523-5495	Date of Birth: 02-10-1949	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, HAMILTON COUNTYss,

I, Thomas G. Uhl being first duly sworn, according to law, deposes and says that he/she is (Title) Member of the Stella 12 Beech, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the forgoing affidavit are true.

(Signature) Thomas G. Uhl (Print Name and Title) THOMAS G. UHL Member

Sworn to and subscribed in my presence this 11th day of June, 2008

Jennifer L. Hover 2/23/2009
(Notary Public) (Notary Expiration)

NOTARIAL SEAL STATE OF OHIO

JENNIFER L. HOVER
Notary Public
In and for the State of Ohio
My Commission Expires
Feb. 23, 2009

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: September 2, 2008

Account Code No. #:

Budgeted Amount:

Community Development Department
Originating Department

Jung-Han Chen
Prepared By

August 22, 2008
Date Prepared

Agenda Title: PC-13-2008 ZONING MAP AMENDMENT, newly annexed territory from Oxford Township Agricultural to R1B (Single-Family Medium Density Residential) District, **Tim Myers, Agent, Applicant**

Recommendation: Approval

Discussion:
The Applicant seeks a zoning map amendment for an area of approximately 54 acres of agricultural land to change from a County agricultural zone to R-1B Medium Single Family Residential District. Oxford City Council adopted Ordinance #2988 on March 18, 2008, accepting the annexed property into the City limits. A copy of the Ordinance is attached for your information. The City and the owners also executed an Annexation Agreement, dated July 27, 2007, prior to the City accepting the property, which outlined the responsibilities of the owners as well as the City.

The 1998 Comprehensive Plan did not identify this area to be a growth area (2010 and beyond). However, with the development of the Community Park and the construction of the Knolls of Oxford, it would appear that the growth of the City is moving westward.

The Paulin's, through their agent, filed an annexation petition in 2007. The annexation process was not finalized until 2008 due to an attempt between the owners and the City to work out an agreement which would outline development responsibilities and expectations/requirements to be mutually agreed upon. Additionally, the issue of roadway maintenance on Contreras and Fairfield Roads required the City to enter into an agreement with the Butler County Engineer's Office. A copy of the agreement is filed with the zoning map application for your information as well.

The Planning Commission voted 7-0-0 to recommend approval to City Council at their August 12, 2008 meeting.

Approved By:		Initial	Date
	Department Head:	JHC	8/22/08
	City Attorney:		
	City Manager:	[signature]	9/2/08

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR 54.577 ACRES OF LAND ABUTTING FAIRFIELD AND CONTRERAS ROADS, OXFORD, OHIO AND REZONING THE PROPERTY FROM AGRICULTURAL (COUNTY) TO R1B (SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on August 12, 2008, at 7:30 p.m., on the applicant's, Harry Paulin, Tim Myers, agent, application for a Zoning Map Amendment for 54.577 acres of land abutting Fairfield and Contreras Roads attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from Agricultural (County) to R1B (Single-Family Medium Density Residential) Zoning District.

SECTION 2: The Oxford Planning Commission, after due deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate use of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment, rezoning 54.577 acres of land abutting Fairfield and Contreras Roads attached hereto and incorporated herein as Exhibit "A" and rezoning the property from Agricultural (County) to R1B (Single-Family Medium Density Residential) Zoning District.

SECTION 4: Council hereby grants the rezoning request to the City of Oxford for the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

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

____
MAYOR

ADOPTED: ______________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Certification of Action
Oxford Planning Commission
Recommendation to City Council

Report Date	August 20, 2008
Case Number	PC-13-2008
Applicant Information	Harry Paulin-Tim Myers, Agent
Requested Action	Zoning Map Amendment
Summary of Request	The Applicant seeks a zoning map amendment for an area of approximately 54 acres of agricultural land changing from County agricultural zone to R-1B Medium Single Family Residential District
Public Hearing Information	On August 12, 2008 a public hearing was held at 118 West High Street. A legal notice of the August hearing was published in the Oxford Press on July 11, 2008.
Commission Action	The Planning Commission voted 7-0-0 recommending approval of the Zoning Map Amendment at the August 12, 2008 meeting.
Commission Findings and Conclusions	The Planning Commission voted to recommend approval of the R-1B Medium Single Family Residential District in accordance with the Annexation Agreement, dated July 27, 2007.
Exhibits Submitted to the Commission	1. Community Development Staff Report dated July 25, 2008 2. Inter-office Review Transmittal Sheets from Engineering dated July 14, 2008 & December 7, 2006 3. Ordinance 2998 Annexation Petition dated March 18, 2008 4. Letter of Agency 5. Zoning Map Amendment Application 6. Annexation Agreement, dated July 27, 2007 7. Larry Frimerman, Oxford Township Trustee, comments dated August 12, 2008

City of Oxford

Community Development Department

STAFF REPORT

Planning Commission

Case # PC-13-2008 **Date – August 12, 2008**

APPLICATION

Applicant:	Harry Paulin-Tim Myers, Agent
Location:	54 acres of land between Fairfield and Contreras Roads, west of the Knolls of Oxford
Owner:	Harry and Anna Paulin, TR
Action Request:	Zoning Map Amendment
Current Use:	Agricultural Use
Current Zoning	County agricultural zoned
Surrounding Existing Land Uses:	Agricultural /Single family

GENERAL DESCRIPTION

The Applicant seeks a zoning map amendment for an area of approximately 54 acres of agricultural land to change County agricultural zone to R-1B Medium Single Family Residential District. The City Council adopted Ordinance # 2988 on March 18, 2008 accepting the annexed property into the City limits. A copy of the Ordinance is attached for your information. The City and the owners also executed an Annexation Agreement, dated July 27, 2007, prior to the City accepting the property, outlining the responsibilities of the owners as well as the City.

SURROUNDING NEIGHBORHOOD

The site is surrounded by underdeveloped land on the north and west sides. Miami University Airport is located to the south. The Knolls of Oxford is immediately to the east of this property. See attached map.

ZONING CODE REGULATIONS

The property is currently still carrying the county agricultural zoning until the property owner files an application to change the zoning designation to City's zoning classification.

COMPREHENSIVE PLAN

HOUSING

A. Goal

The Housing goal is to enhance the livability, aesthetics, affordability and diversity of Oxford-area housing with improvised and enforceable codes and standards.

D. Objectives and Strategies

1. Expand Housing Affordability

The housing market must be broadened to provide a full range of housing options. Future owner-occupied housing developments, single-family and multi-family, should fill the gap, by providing new housing in the lower-middle to middle income markets. At the same time, conditions in existing housing should be strengthened to assure quality living environments.

Strategies

A. Continuing to target resources that facilitate affordable housing.
The City should continue to target available resources that facilitate affordable housing.

B. Adopting incentives to encourage the development of housing for low- and moderate-income persons.
The City should identify, analyze, and adopt various incentives to encourage the construction of new housing specifically for the local low- and moderate-income housing markets.

C. Encouraging a mix of housing opportunities.
The City should encourage a broad mix of housing opportunities in Oxford. This mix should include all market types and price ranges. The City can do this through a series of actions:

1. Marketing the City to a range of housing builders.
2. Encouraging a local showcase of new and/or rehabilitated homes
3. Developing an incentive package, such as a zoning density bonus.
4. Partnering with nonprofit corporations and agencies to develop affordable housing.

Land Use

A. Goal

The Land Use goal is to manage growth to ensure innovative land uses, green areas, small town character and preserved farmland through effective long-term policies.

D. Objective and Strategies

1. Continue to Manage Growth

Managing the development of Oxford is an ongoing process that involves a host of partners - City Council, Planning Commission, Administration, major property owners such as Miami University, the development community, community organizations and the public.

Strategies

A. Integrating the Comprehensive Plan into the City's business.
The Comprehensive Plan serves as the City's growth policy through 2010, with modifications and updates as necessary. City Council, Planning Commission, Board of Zoning Appeals and the Administration must rely upon the Plan on a regular basis in making administrative and legislative decisions that affect the City's physical development and growth.

B. Adopting a formal utility services boundary to include timing utility extensions and an annexation policy.
Separate from adopting the Comprehensive Plan, City Council should consider formally adopting utility services boundaries by the Butler County Board of Commissioners.

C. Continuing to adopt the annual Capital Improvement Program (CIP) in line with the Comprehensive Plan.
The annual Capital Improvement Program should be adopted in line with the Comprehensive Plan.

D. Maintaining and enhancing stronger working relationships with Oxford Township, other surrounding townships, Butler County, Miami University and the Talawanda School District.
The City should actively pursue strong working relationships with its local government, neighbors and the University. It is in the community's best interest to create strong, ongoing partnerships.

AGENCY COMMENTS

Requests for Agency Reviews were sent to the Police, Engineering and Fire Departments. Their comments were also attached for your consideration.

PUBLIC COMMENT FORMS

None received at the time this report was prepared.

DECISION CRITERIA (Section 1135.02(c))

Planning and Council review. The Planning Commission shall base its recommendation on a proposed zoning code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comments presented during the public hearing. City Council shall base its decision on the same materials and shall consider the Planning Commission's recommendation.

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

Map Amendment

A. There is an error on the Official Zoning Map or in the delineation s between districts thereon.
B. The proposed amendment will make the map conform more closely to the Comprehensive Plan.
C. There has been a substantial change in the area conditions that necessitates the amendment.
D. There is a legitimate need for additional land area in the zoning district that will be expanded.

STAFF ANALYSIS

The 1998 Comprehensive Plan did not identify this area to be a growth area (2010 and beyond). However, with the development of the Community Park and the construction of the Knolls of Oxford, it would appear that the growth of the City is moving westward.

The Paulin's, through their agent, filed an annexation petition in 2007. The annexation process was not finalized until 2008 due to an attempt between the owners and the City to work out an agreement to outline development responsibility and expectations/requirements to be mutually agreed upon. Additionally, the issue of roadway maintenance on Contreras and Fairfield Roads requires the City to enter into an agreement with the Butler County Engineer's Office. A copy of the agreement is filed with the zoning map application for your information as well.

RECOMMENDATION

Not Applicable

SUBMITTED

BY: Jung-Han Chen

Jung-Han Chen, Director
Community Development Department

DATE: July 25, 2008

07-11-08P04:45 RCVD

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 7/11/2008

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: PC-13-2008

Description:

PC-13-2008 **ZONING MAP AMENDMENT,** newly annexed territory from Oxford Township Agricultural to R1B (Single-Family Medium Density Residential) District, **Tim Meyers, Agent, Applicant**

____X______ Review __________ Revisions ___________Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/5/2008** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

SEE MEMO DATED 7-14-08

Drawings reviewed by: A. Popescu 7-14-08

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: Case # PC-13-2008
Paulin Property – Zoning Map Amendment

DATE: July 14, 2008

Below are our comments on the proposed amendment.

- The Annexation Agreement, an essential part of this case, refers to a series of exhibits. The Engineering Division reserves the right for further comments upon the review of the missing exhibits.

- The property annexation and the proposed zoning amendment are independent of the Contreras Road and Fairfield Road annexation into the City limits. The subject roads were not annexed. However, it must be pointed out that there is a "Roadway Maintenance Agreement" between the City of Oxford and the Butler County Engineer's Office.

- A memo, dated December 7, 2008 (copy attached), to Jung-Han Chen, Community Development Director, listed a number of conditions and questions which the development plans must address. Those conditions and questions apply regardless of the zoning map amendment.

- Based on the presented documentation, minus the above exhibits, the Engineering Division recommends approval of the case.

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Jung-Han Chen
Community Development

FROM: Victor Popescu
City Engineer

RE: Paulin Property - Proposed Concept Plan

DATE: December 7, 2006

The following are our comments on the proposed development. Note must be taken that the submittal is very limited on the information presented.

- It appears that the development may consist of 165 homes. Can the present sanitary mains in the area accept the additional flow without upsizing?
- Water supply for the proposed development will not be an issue.
- A traffic impact study will be necessary.
- Fairfield Road will need to be widened to accommodate an acceleration/deceleration lane at the proposed entrances to the subdivision. Same comment applies to the Contreras Road entrance.
- Would the additional traffic generated by the proposed development warrant a traffic signal at any of the entrances?
- How would the storm water issue be addressed? Would the development have underground detention or detention ponds?
- Presently, we are aware of drainage easements on this property. How would these easements be addressed?
- Would the sanitary sewers, within the development, be gravity flow?
- If a force main would be necessary to server the development, all the costs associated with the force main would be the responsibility of the development.
- Would connectivity with the Knolls of Oxford be desirable?
- In the past, the OATS committee was discussing the possibility of a bike path thru this proposed development. Would this proposed development provide a bike path?

- It should be noted that it is City policy, when utilities are provided outside the City limits, to require annexation.
- Utilities, roadway, and traffic signals must be constructed as per City of Oxford's specifications.
- CADD, as-built drawings will be required to be submitted to the Engineering Division upon completion of the development's infrastructure.

The above comments are limited and are based on a submittal that provided insufficient information on the proposed development.

ORDINANCE NO. 2998

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION SUBMITTED BY ANNABELLE AND HARRY PAULIN FOR 54.577 ACRES OF LAND ABUTTING FAIRFIELD AND CONTRERAS ROADS, IN THE TOWNSHIP OF OXFORD, OHIO AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

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

SECTION 1: Annabelle and Harry Paulin 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 54.577 acres of land abutting Fairfield and Contreras Roads, in the Township of Oxford, Ohio. Said petition was filed with the consent of all parties pursuant to Ohio Revised Code Section 709.022.

SECTON 2: By Resolution No. 07-12-2371, adopted December 27, 2007, the Board of County Commissioners did 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 Annexation Agreement, provided for by Ohio Revised Code Section 709.192, attached hereto and incorporated herein as Exhibit "A." The petitioners have conformed they intend to proceed with the terms and conditions set forth in the Annexation Agreement and the Statement of Services Resolution No. 4317 adopted December 18, 2007, attached hereto and incorporated herein as Exhibit "B".

SECTION 3: Through the Clerk of the Board of County Commissioners, Butler County, Ohio, the Board of County Commissioners did certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of the Oxford City Council who received the same on the 2nd day of January 2008.

SECTION 4: Sixty (60) days from the date of the filing have now elapsed in accordance with the provisions of Ohio Revised Code 709.04.

SECTION 5: The proposed annexation, as applied for in the petition of Annabelle and Harry Paulin being the petitioner and 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, and which petition was approved for annexation to the City of Oxford, Ohio, by the Board of County Commissioners is hereby accepted and deemed annexed to the City of Oxford, Ohio. Said annexation shall be subject to all the terms and conditions provided herein and contained within the Annexation Agreement, attached hereto and incorporated herein as Exhibit "A", and the acceptance of public roads and streets, pursuant to Section 1101.06 of the Oxford Code of Ordinances. The territory to be annexed is more particularly described in Exhibits "C" and "D", attached hereto and incorporated herein by reference.

SECTION 6: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 7: The Clerk of the City of Oxford is hereby authorized and directed to make four 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 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 and one copy to the 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 8: This Ordinance shall take effect at the earliest time allowed by law.

Prudence B. Dana
MAYOR

ADOPTED: March 18, 2008

ATTEST:

MaryAnn Eaton
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Mr. Timothy H. Myers, 5020 College Corner Pike, Oxford, Ohio has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission regarding **(Request – i.e. demolition, reuse, paint, new windows)** at our property located at **(Address of proposed changes)** Street, Oxford, Ohio 45056.

Thank-you,

Harry R. Paulin

Owner/ ~~Trustee~~:

7/9/08

Date:

Company Name & Address:

newly annexed property
West side of Oxford (between Contreras & Fairfield Roads)
change of zoning distict

Case No.: 8/12/08 PC-13-2008
Date filed: 6/12/08

PC-13-2008

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant: Harry Paulin - Tim Myers Agent
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 5020 B College Corner Pike - Oxford, Ohio 45056
Telephone Number(s) (513) 523-2181
Location of Property: West side of Oxford between Contreras and Fairfield Rds. Map Attached
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: Attached 54 acres + or -
Total Area: 54.517 Acres / Square Feet (circle one)
Existing Use of Property: Agriculture
Current Zoning: Unzoned

Proposed Zone(s): R1B - Agreement Attached
Proposed Use: Residential Single family and Condos

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

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of every parcel proposed to be rezoning, including those across streets, roads, alleys and highways.

Attach a statement which responds to the following questions:

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

All materials and application fee must be delivered to the office of the Planning Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. **Incomplete applications will not be processed.** Any questions should be directed to the Planning Department at (513) 524-5204. The issue will be placed on the next possible agenda.

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

SIGNATURE OF APPLICANT: Timothy H. Myers **Date:** 6/10/08

PRINTED NAME: Timothy H. Myers

FEE / RECEIPT
$150 Fee Paid / Receipt Number: 13878

S:\forms\zoningmapamendmentapp.

Revised 3/07

06/12/2008 10:03 5135234745 OCIC PAGE 02

Relationship To Comp Plan

Property shows as Rural with Agriculture use. Sits adjacent to previous Oxford west city boundary line. To the east is the Knolls of Oxford, a retirement community. The requested change will provide buffering between the existing development and un-annexed rural farm land. Miami University Airport and Oxford Park are located to the south of subject.

Effects on Neighborhood

There will be no negative impact by granting the requested zoning.

Effect on Public Utilities

There is an annexation agreement in place granting extension by the city, of public utilities, road and bike path. City development standards require developer to control drainage and accessibility for safety equipment.

Impact on Private Property and Public Facilities

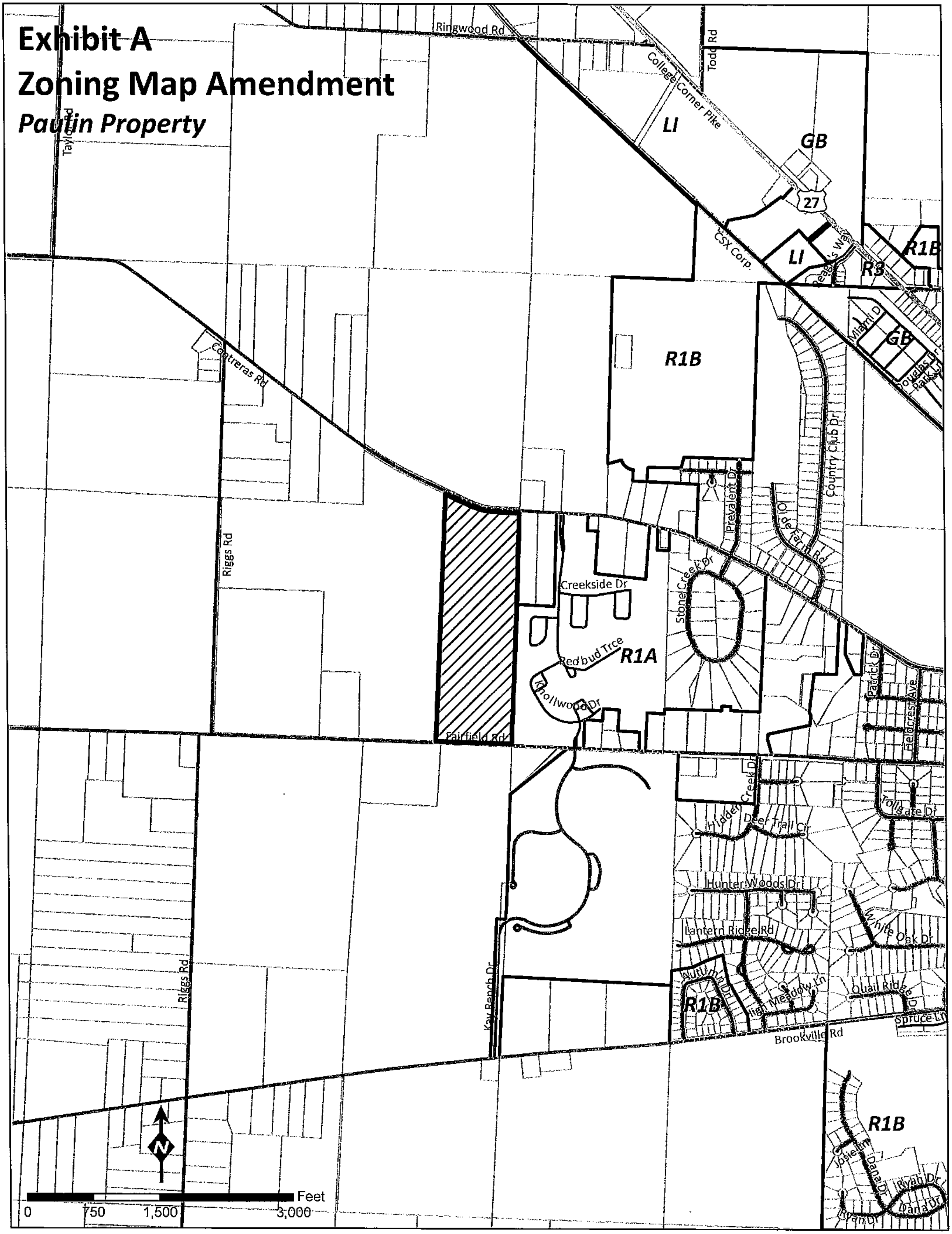
This zoning request would have no negative impact on adjacent property-private or public. In fact, the annexation agreement assures a positive effect at time of development.

Current Zoning

Current zoning is no longer proper for this parcel for being newly annexed. It has yet to receive zoning from the city.

6/11/08

Exhibit A
Zoning Map Amendment
Paulin Property



ANNEXATION AGREEMENT

This Annexation Agreement is hereby entered into this 26th day of July 2007, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Harry and Anna Belle Paulin, hereinafter referred to as "Owners".

WHEREAS, the Owners own property in Oxford Township (hereinafter referred to as "Property") and have filed the petition to have the Property annexed into the City and to receive municipal services for development purposes, and;

WHEREAS, the City has agreed to make municipal services available to the Property; and,

WHEREAS, the City desires to enter into an annexation agreement to outline the issues and concerns identified by the City to ensure these issues will be addressed appropriately when the Property is developed; and

WHEREAS, the Owners desire to formalize the understanding between parties with respect to the future development of the Property.

NOW, THERFORE, to allow the Property to be annexed into the City and to be able to develop the Property in the future, the City and Owner hereby agree as follows:

1. The Owners have filed an annexation petition requesting that the Property be annexed into the City and the annexation proceeding is pending upon the execution of the Agreement. The Property is consisting of 54.577 acres and more particularly described on Exhibit A attached hereto. The said petition is attached hereinafter as Exhibit B.

2. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of this Agreement.

3. The City agrees to accept an application to rezone the Property after the execution of this Agreement and to have the application heard by the Planning Commission at the first available date, even if prior to the completion of the annexation. The application will seek to rezone the Property to R1-B. The rezoning request will be heard by City Council. If the annexation has not yet been completed, Council will review the request to provide an advisory opinion. Council will consider the rezoning application request officially as soon as practical following annexation of the Property to the City.

4. The City has identified engineering issues with respect to the preliminary development concept of the Property as submitted and attached hereinafter, as Exhibit C. These comments are attached hereafter as Exhibit D. Furthermore, a copy of these comments was given to Mr. Timothy Myers, agent of the Owners in December 2006, and January 2007 respectively.

5. The City agrees to make municipal water service available to the Property for future development. The cost to connect to the existing nearest municipal water service to the Property will be the City's responsibility. The installation of said connection to the municipal water service shall conform to the specifications and standards of the City's ordinance and regulations existing at the time municipal water service is installed on the Property. The Owners shall pay for running any laterals or service lines from the tap-in on the property.

6. The Owners shall extend the municipal water line servicing the Property to the west property line to allow the future extension of the municipal water service to the adjoining properties at the earlier of any development of the Owners property that encompasses forth percent (40%) or more of the area of the Property or at the time of a Phase II development.

7. The City also agrees to make municipal sanitary sewer service available to the Property for future development. The cost to connect the property to the municipal sanitary sewer service will be the City's responsibility. The installation of such connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations as applicable. The Owners shall pay for the cost of extending sanitary lines upon Owner's property once the City gets it to the Property line.

8. The Owners shall extend the sanitary sewer line servicing the Property to the west property line to allow the future extension of the municipal sanitary sewer service to the adjoining properties at the earlier of any development of the Owners property that encompasses forth percent (40%) or more of the area of the Property or at the time of a Phase II development.

9. The Owners shall conduct a traffic impact study for the development of the Property prior to submitting any subdivision request to the Oxford Planning Commission for review. The Owners are responsible for the signalization of the entrance/entrances as determined by the Service Director, based on the traffic impact study for the development of the Property.

10. It is the Owners' responsibility to ensure the drainage easement at the Property serving the adjoining property to the west to be maintained and respected.

11. The Owners agree to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Fairfield Road and Contreras Road entrances to the Property when the subdivision is proposed. The City Engineer will determine the necessary right-of-way width. All roadway construction in and around the development of the Property shall meet the City of Oxford's specifications and at the Owners expense.

12. The Owners will provide the City Engineer a detailed plan how to handle additional storm water generated from the development for review. The City Engineer shall determine whether the proposed plan to handle additional storm water is satisfactorily meeting the standards and specifications of the City's Ordinances and regulations as applicable and advise the Owners of any deficiencies that need to be corrected prior to approving the proposed storm water-handling plan.

13. If the City fails to rezone the Property as requested here or otherwise agreed by the Owners within ninety (90) days after approval of the annexation (including any applicable mandatory waiting periods), the City agrees to cooperate with the Owner's and de-annex the Property as soon as possible.

14. The Owners shall construct a street built to City standards between Contreras Road and Fairfield Road at the earlier of any development of the Owners property that encompasses forty percent (40%) or more or the area of the Property or at the time of a Phase II development.

15. The Owners are required to dedicate a bike trail/path through this Property to connect Fairfield Road to Contreras Road. The land dedicated for the bike trail/path right of way shall have a minimum width of 20 feet, with the bike trail/path pavement being 10 feet in width. This right of way shall be located on the twenty (20) feet immediately adjacent to the west property line of the Property

16. All utility, roadways and traffic signal must be constructed in conformance to the City of Oxford's specifications.

17. Future development of the Property shall meet the minimum requirements as stipulated in the City of Oxford Planning and Zoning Code and other specifications and of the City's Ordinances and regulations, as the same may be amended.

18. This Agreement is intended to be severable. If part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the goals of the Owners to develop the Property as requested or to de-annex the Property.

19. The Agreement is intended in part to fulfill City's obligation to provide water and sewer to Owners under a contract between the parties dated August 26, 1998. However, such former contract remains in full force and effect and shall be referred to in the case of any ambiguity in this Agreement or should the planned annexation not proceed or if the Property is de-annexed. At the completion of extending municipal water and sanitary services to the Property, the said contract will be considered fulfilled and nullified.

20. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.

21. This Agreement shall be recorded in the Butler County Recorder's Office and the terms, conditions shall be binding upon the parties herein, and all successors and assigns, and these terms and conditions shall run with the land.

22. This Agreement shall be subject to the law of the State of Ohio. Any causes of action arising out of Agreement shall be heard in a court of competent jurisdiction in Butler County, Ohio. Any provision deemed unenforceable for any reason shall not invalidate the Agreement, the parties intending the Agreement to be interpreted without that provision.

23. This Agreement shall represent the full agreement between the parties and shall supersede any oral or written agreements, commitments or promises made prior to the date of this Agreement.

[Remainder of Page Intentionally Left Blank]

The Parties have signed and executed this Agreement on the date first written above.

CITY OF OXFORD

By: ______________________
Mike Dreisbach, Interim, City Manager

OWNER

BY: ______________________
Harry Ritter Paulin

By: ______________________
Anna Belle Paulin

STATE OF OHIO :
SS:
County of BUTLER

State of Ohio

SWORN TO BEFORE ME and the subscribed in my presence by the said Michael Dreisbach , this 24th day of July , 2007

NOTARY PUBLIC STATE OF OHIO

LEANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

STATE OF OHIO :
SS:
County of BUTLER

State of Ohio

SWORN TO BEFORE ME and the subscribed in my presence by the said Harry & Anna Paulin , this 26th day of July , 2007

LEANN HENDRICKS
Notary Public, State of Ohio
My Commission Expires
January 25, 2011

RECEIVED

DEC 10 2007

City of Oxford

Road Maintenance Agreement

Between the governmental agencies of

Board of County Commissioners, Butler County, Ohio
City of Oxford, Butler County, Ohio

This joint road agreement and resolution is made and entered into by and between the Board of County Commissioners and the City of Oxford, both political subdivisions of Butler County and the State of Ohio, and pursuant to the Ohio Revised Code Section 709.03.3.

WITNESSETH:

WHEREAS, portions of Contreras Road are within the corporation limits of the City of Oxford; and

WHEREAS, portions of Contreras Road are also within the un-incorporated areas of Oxford Township; and

WHEREAS, portions of Fairfield Road are within the corporation limits of the City of Oxford; and

WHEREAS, portions of Fairfield Road are also within the un-incorporated areas of Oxford Township; and

WHEREAS, henceforth all improvement and maintenance responsibilities shall be divided as follows:

(1) City of Oxford is to maintain and repair Contreras Road from the westerly property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, to its intersection with College Street, a total distance of 1.938 miles.

(2) Butler County is to maintain and repair Contreras Road from its intersection with State Line Road North to the west property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, for a total distance of 1.999 miles.

(3) City of Oxford is to maintain and repair Fairfield Road from the westerly property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, to its intersection with Paterson Avenue (US 27), a total distance of 2.681 miles.

(4) Butler County is to maintain and repair Fairfield Road from its intersection with State Line Road North to the west property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, for a total distance of 1.862 miles.

WHEREAS, an improvement is a change, permanent and fixed - maintenance has been defined as any and all repairs, general upkeep of the roadway, and culverts within the right-of-way;

AND WHEREAS, this agreement involves both improvements and maintenance;

THEREFORE IT IS MUTUALL Y AGREED

(1) That pursuant to Chapter 5557, of the Ohio Revised Code, the Board of County Commissioners do hereby adopt this agreement to become effective upon the adoption of the same agreement by the City of Oxford.

(2) All improvements and maintenance responsibilities shall be divided between the County and the City of Oxford as follows:

a. City of Oxford is to maintain and repair Contreras Road from the westerly property line of Parcel H3510-009-000-002, proposed westerly City Limits of Oxford, to its intersection with College Street, a total distance of 1.938 miles.

b. Butler County is to maintain and repair Contreras Road from its intersection with State Line Road North to the west property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, for a total distance of 1.999 miles.

c. City of Oxford is to maintain and repair Fairfield Road from the westerly property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, to its intersection with Paterson Avenue (US 27), a total distance of 2.681 miles.

d. Butler County is to maintain and repair Fairfield Road from its intersection with State Line Road North to the west property line of Parcel H3510-009-000-020, proposed westerly City Limits of Oxford, for a total distance of 1.862 miles.

(3) That Butler County and City of Oxford shall notify and report to each other any work on Contreras Road or Fairfield Road undertaken during each year.

(4) That each entity shall finance and pay for all costs of improvements, repairs and maintenance undertaken by them.

(5) That unless otherwise agreed upon, employees and contractors of each entity shall remain solely the responsibility of that entity, as to payment, worker's compensation, and insurance, and the performing entity shall hold the other entity harmless as to any and all debts and obligations concerning those employees or contractors.

IN WITNESS WHEREOF, the parties of this Agreement have set their hands this 20th day of August, 2007.

Witnesses:

Flora Sutton

Julie Fisher

BOARD OF COUNTY COMMISSIONERS

By: Greg Jolivette
Gregory V. Jolivette, President

By: Charles R. Furmon
Charles R. Furmon, Vice-President

By: Donald L. Dixon
Donald L. Dixon, Member

Kathryn Hedricks

MaryAnn Eaton

CITY OF OXFORD

By: Michael Dreisbach
Michael B. Dreisbach, Interim City Manager

RESOLUTION NO. 4279

RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE BUTLER COUNTY BOARD OF COMMISSIONERS FOR THE MAINTENANCE AND UPKEEP OF A PORTION OF FAIRFIELD ROAD AND CONTRERAS ROAD.

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

SECTION 1: The City by Resolution No. 4197 accepted the annexation of 54.577 acres of land located along Fairfield Road and Contreras Road.

SECTION 2: Said Annexation brings a portion of Fairfield Road and Contreras Road under the concurrent jurisdiction of the City and Butler County for snow removal and maintenance.

SECTION 3: Council desires to enter into a Road Maintenance Agreement with the Butler County Board of Commissioners for snow removal and maintenance and finds that such Road Maintenance Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens.

SECTION 4: The Interim City Manager is hereby directed to enter into, on behalf of the City, a Road Maintenance Agreement with the Butler County Board of Commissioners for the maintenance and snow removal of a portion of Fairfield Road and Contreras Road. Such agreement shall meet the approval of the Law Director.

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

MAYOR

ADOPTED: JULY 17, 2007

ATTEST:

Mary Ann Eaton / Deputy
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JEROME CONLEY

PREPARED BY: LAW (STAFF)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
BUTLER COUNTY, OHIO
PETITION BY OWNER OF REAL ESTATE FOR ANNEXATION
TO
CITY OF OXFORD, OHIO

RECEIVED
07 NOV 15 AM 10: 23
COUNTY COMMISSIONERS

The undersigned, being all the owners of a freehold estate in land adjacent to the City of Oxford, Butler County, Ohio, herein respectfully submit this amended petition, asking that the real estate hereinafter described be annexed to the City of Oxford, Butler County, Ohio, in accordance with Ohio Revised Code Section 709.023.

Said petitioners state:

1. The full description of the territory sought to be annexed is:

Situated in and being a part of Lots 1 & 2, Section 20, Town 5, Range 1, Oxford Township, Butler County, Ohio and being more particularly bounded and described as follows: Beginning at an iron pin (found) at the southeast corner of Lot 1, and the southeast corner Section 20, said point being in the center of Fairfield Road; THENCE FROM THE BEGINNING POINT THUS FOUND South 89° 30' 32" West along the south line of said lot and section and in the center of Fairfield Road 864.93 feet to a mag nail (set) at the grantors southwest corner; thence North 0° 29" 25" West along the grantors west line (passing an iron pin set at 30.00 feet) a distance of 2865.13 feet to a mail nail (set) in the center of Contreras Road (witnessed by an iron pin set bearing South 0° 29' 25" East 32.13 feet); thence South 66° 54' 59" East along the center of Contreras Road a distance of 529.26 feet to an iron pin (set) in the north line of Lot 1; thence North 88° 53' 27" East along the north line of said Lot 1 and the center of Contreras Road 402.60 feet to an iron pin (found) at the northeast corner of Lot 1; thence due South along the east line of said lot and section 2657.89 feet to the point of beginning containing 54.577 acres of land and being subject to the legal right-of-way for Fairfield and Contreras Roads and all other easements and restrictions of record.

Subject to a water line easement heretofore conveyed, 20 feet in width taken evenly off the east side of the above described property; bearings shown hereon are based on an assumed meridian and are used to denote angles only.

2. The number of owners of real estate in the territory sought to be annexed is two, being Harry Ritter Paulin, Trustee and Anna Belle Paulin, Trustee, the petitioners.

3. Timothy H. Myers, 5020 College Corner Pike, Oxford, Ohio 45056, is hereby appointed and authorized to act as agent for the petitioners in securing such annexation.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Harry R. Paulin Trustee
Harry Ritter Paulin, Trustee
Date signed 10-18-07

Anna Belle Paulin, Trustee
Anna Belle Paulin, Trustee
Date signed 10-18-2007

This instrument prepared by Andrew B. Crane, Attorney, Oxford, Ohio

Jung-Han Chen

From: Larry Frimerman [larryfrimerman@yahoo.com]
Sent: Tuesday, August 12, 2008 4:36 PM
To: Jung-Han Chen; Kathy Dale
Cc: mcdonough7070@aol.com; ukcat1grs8@aol.com; James M. Dr. Rubenstein; jim.rowan@hylant.com
Subject: Tonight's Planning Commission Meeting

Mr. Jung-Han Chen
City of Oxford

August 12, 2008

Dear Mr. Chen:
I am writing to you as an Oxford Township Trustee and a member of Oxford's Comprehensive Plan Steering Committee regarding two items:

1) To support the City's Comprehensive Plan, and urge implementation of a joint planning regime;
2) To urge consideration by the Planning Commission and Council for helping the Applicant, Timothy Myers, structure his proposed development as a Conservation Development, clustering homes away from sensitive and nearby properties, and in a way that maximizes open space and farmland.

Both the City's and Twp's plans call for the maintenance of the rural character of the Township, and of fostering compatible land uses and transition areas nearby agricultural land and open space. In fact, the Annexation Code for the State actually requires such a transition zone. On page two of the Oxford Twp Comprehensive Plan, we urge use of Conservation Developments for proposed developments. The Proposed Rezoning you consider today of the 54 acre portion of the Paullin Farm on Contreras Rd should be a prime candidate. It is adjacent to a horse and grain farm which uses agricultural chemicals and fertilizers. There is a broad drainage easement for the adjacent farm on the Paullin Farm. And, the property is on the edge of a very rural area destined to remain so based upon comprehensive plans and practical infrastructure realities.

Please consider conditioning any rezoning of the property in the light of granting rezonings with such density only if the landowner/developer is willing to mitigate the density by employing conservation development and low impact development measures.

Sincerely,
Larry
Larry Frimerman
Oxford Township Trustee

Larry Frimerman

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 2, 2008

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach
Prepared By

August 19, 2008
Date Prepared

Agenda Title: Ordinance Amendment to Section 351.16 – Snow Emergency Routes

Recommendation: Approve

Discussion:

The City's Snow Emergency Ordinance was last updated in 2003 when the City instituted a threshold of 3" for the prohibition of parking on marked snow routes. Staff has recognized the need to clarify and refine the Ordinance with a minor language addition to the code.

Current language does not provide for a restriction of parking in the following two instances:

1) During an ice event where accumulations will be less than 3", but road conditions are still treacherous.
2) During a major snowfall event where snow routes have been plowed, but more accumulating snow is expected, and snow route restrictions should remain in effect.

Existing signs would be remarked with information regarding the restriction and would read "No Parking when snow is 3 inches deep or greater, or during ANY level of Snow Emergency".

No changes are proposed to the City's current structure of snow emergency language. This revision to the Snow Route Ordinance section clarifies the intent of the original 2003 Ordinance.

Approved By:

	Initial	Date
Department Head:	MBD	8/26/08
City Attorney:		
City Manager:	DAB	8/29/08

ORDINANCE NO.

ORDINANCE AMENDING THE OXFORD CODE OF ORDINANCES BY REPEALING SECTION 351.16, SNOW ROUTES AND ADOPTING NEW SECTION 351.16, SNOW ROUTES TO PROHIBIT PARKING ON SNOW ROUTES WITHIN THE CITY DURING ANY LEVEL OF SNOW EMERGENCY.

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

SECTION 1: Council finds that there is a need to revise snow routes within the City which would permit the removal of vehicles parked in these snow routes during periods of heavy ice and snowfall.

SECTION 2: Council further finds that this Code amendment is in the best interests of the City and will serve to protect the health, safety and welfare of the citizens of Oxford.

SECTION 3: Council hereby repeals in its entirety current Section 351.16 of the Oxford Code of Ordinances and adopts new Section 351.16 which shall read as follows:

351.16 SNOW ROUTES.

(a) "Snow routes" are hereby defined as streets or portions of streets designated by official signs on one or both sides thereof, installed by order of the City Manager. The City Manager is authorized and directed to designate such streets as snow routes which, for the safety or convenience of the public and the accommodation of traffic, should be kept open and clear when snow accumulations are greater than or equal to three inches (3") *or during any level of Snow Emergency.*

(b) The City Manager, or designee, shall be responsible for ensuring that special signs are erected which:

(1) indicate and identify the streets as snow routes;
(2) state that there is no parking when snow is greater than or equal to three inches (3") deep *or during any level of Snow Emergency*; and
(3) indicate that the snow routes are tow-away zones.

(c) No vehicle may be parked on any snow route when snow and/or ice accumulations are greater than or equal to three inches (3") *or during any level of snow emergency.*

(d) Any person who violates the provisions of subsection (c) hereof shall be guilty of a minor misdemeanor and in addition to the penalty provided for by Section 303.99, an unattended vehicle parked in violation of subsection (c) hereof shall be subject to the removal and impounding provisions of Section 303.08.

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

MAYOR

ADOPTED:

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

City Manager
Originating Department

Council Meeting Of: September 2, 2008

Doug Elliott
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 29, 2008
Date Prepared

Agenda Title: A Resolution of support to amend the Oxford Thoroughfare Plan for inclusion of the Northwest Butler County Transportation Study's recommendation of a connector road between US-27 and State Route 73.

Recommendation: Withdraw

Discussion:
At the August 19th City Council meeting, two resolutions were passed. Resolution No. 4376 authorized the City of Oxford to proceed with the study of rerouting US-27 and State Route 73 traffic within the City of Oxford. Resolution 4377 requested ODOT to amend the study area for the US-27 to State Route 73 Connector. A third resolution was on the agenda to amend the recently passed City of Oxford Thoroughfare Plan to include a Connector between US-27 and State Route 73. The third resolution was tabled and should be withdrawn since the original Thoroughfare Plan was adopted by ordinance and would require Planning Commission review to amend it.

In order to begin the traffic impact study required to reroute US-27 and State Route 73 traffic in the City of Oxford, I have contacted Keith Smith with ODOT to begin this process. Also, I have stated our desire to utilize the congressional earmarked funds to complete the traffic impact study.

After the Council meeting, a second joint meeting with Oxford Township Trustees and representatives of Miami University will be scheduled to develop a consensus on the Connector Project, as presently amended by Council, and report back to the Butler County Planning Commission.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DRE / MAE	8/29/08

RESOLUTION NO. _____

A RESOLUTION OF SUPPORT TO AMEND THE OXFORD THOROUGHFARE PLAN, FOR INCLUSION OF THE NORTHWEST BUTLER COUNTY TRANSPORTATION STUDY'S RECOMMENDATION OF A CONNECTOR ROAD BETWEEN US-27 AND STATE ROUTE 73.

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

Section 1: Council recognizes the Northwest Butler County Transportation Study, completed in 2003, provided a recommendation of a preferred strategy for a long range transportation plan for Northwest Butler County, Ohio.

Section 2: Council is aware the study provided for a Connector Road between US-27 and State Route 73, and this Connector Road is currently not in the Oxford Thoroughfare Plan.

Section 3: Council continues to support the need of a Connector Road to improve traffic flow and reduce vehicle and pedestrian exposure.

Section 4: Council hereby amends the Oxford Thoroughfare Plan adopted in 2007 to include an eastside Connector Road from US-27 to State Route 73.

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

____
MAYOR

ADOPTED: __________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 2, 2008

Account Code #: 126.008.52402

Budgeted Amount: $97,570.00

Service Department
Originating Department

Michael B. Dreisbach, Service Director
Prepared By

August 26, 2008
Date Prepared

Agenda Title: Sidewalk and Handicap Ramp Improvements

Recommendation: Approve

Discussion: The City's 2008 Operating Budget includes a total of $97,570 in the Community Development Block Grant fund for additional improvements to public sidewalk and handicap ramps in need of repair or replacement. Staff advertised using CDBG guidelines for the following tentative locations:

Locust Street & Chestnut Street	**(All corners)**	**Locust Street & Edgehill Drive**	**(All corners)**
Locust Street & Brookview Court	**(All corners)**	**Locust Street & Wells Mill Drive**	**(All corners)**
Spring Street & College Ave.	**(SE and SW)**	**Spring Street & Spring St. Auto curb**	**(SE and SW)**
Spring Street & Old WalMart	**(SW corner)**	**High Street & Campus Ave**	**(All corners)**
Spring Street & Redpath Enterprises		**High Street & Poplar Street**	**(All corners)**
Spring Street & Miami Savings Bank			

Total estimated linear feet of curb / gutter replacements: 767 lin. feet

Total estimated square feet of sidewalk / ramp replacements: 6,177 sq. ft.

The City advertised for bids in the *Oxford Press* and *Hamilton Journal* on August 8 and August 15, 2008. Seven sealed bids were opened and publicly read on August 22, 2008 with the following results:

Jackson Construction, Inc.	**$82,335.90**
Middleton Construction LLC	$89,343.20
Hendy Concrete Contractors	$94,488.75
R A Miller Construction Co., Inc.	$96,830.00
B&M Landscape & Construction	$108,583.00
W.G. Stang Co.	$132,768.00
J.L. Kuck General Contractors, Inc.	$140,308.00

Four bids were presented with the lowest bid provided by Jackson Construction, Inc. in the amount of $82,335.90. As the contractor has provided line item (unit cost)pricing for this bid, it is Staff's recommendation that Council authorize the City Manager to enter into an agreement with Jackson Construction, Inc. for an amount not to exceed **$97,570.00.** Staff will add additional work to the scope of the agreement to fully utilize the budgeted CDBG funds.

Approved By:

	Initial	Date
Department Head:	MBD	8/26/08
City Attorney:		
City Manager:	DMB	8/29/08

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JACKSON CONSTRUCTION, INC. FOR THE CDBG SIDEWALK AND HANDICAP RAMP IMPROVEMENTS PROJECT AT A COST NOT TO EXCEED $97,570.00.

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

SECTION 1: The City Manager and Service Director recommend Council accept the bid of Jackson Construction, Inc. as the lowest and best bid for the CDBG Sidewalk and Handicap Ramp Improvements Project at a cost of $97,570.00 and authorize the City Manager to enter into a contract with Jackson Construction, Inc. for the CDBG Sidewalk and Handicap Ramp Improvements Project.

SECTION 2: Council accepts the recommendation of the City Manager and Service Director and accepts the bid of Jackson Construction, Inc. for the CDBG Sidewalk and Handicap Ramp Improvements Project at a cost of $97,570.00.

SECTION 3: Council further authorizes the City Manager to enter into a contract with Jackson Construction, Inc. for the CDBG Sidewalk and Handicap Ramp Improvements Project at a cost not to exceed $97,570.00.

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

____
MAYOR

ADOPTED: ____________________

ATTEST:

____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 2, 2008

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Victor Popescu, P.E., City Engineer
Prepared By

August 19, 2008
Date Prepared

Agenda Title: High Street Roadway Improvements (Main Street to Poplar Street) – Application for Ohio Public Works Commission Issue 1 Funds.

Recommendation: Approve

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

Ohio Public Works Commission - Issue 1 funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue 1 funds to be used for the rehabilitation of High Street, between Main Street and Poplar Street.

The City is eligible to receive approximately $400,000 from the Commission. The City would be required to provide approximately $120,000 as the local match for the project. While this amount is currently not in the City's CIP, a portion of resurfacing funding could be reallocated for this project.

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

Approved By:

	Initial	Date
Department Head:	MBD	8/26/08
City Attorney:		
City Manager:	[illegible]	8/27/08

RESOLUTION NO.

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

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

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

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

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

____
MAYOR

ADOPTED: ________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 09/02/08

Heidi Hill
Prepared By

Account Code No. ____________________

Budgeted Amount: ____________________

8/20/2008
Date Prepared

Agenda Title: **3.65 MILL PROPERTY TAX RATE RESOLUTION**

Recommendation: Approve

Discussion:

This resolution is the annual standard resolution sent to us from the Butler County Auditor.

The purpose is to legally adopt the Oxford property tax rate for next year as approved by the Auditor's office.

Approved By:		**Initial Date**
	Department Head:	8/21/08
	City Manager:	8/25/08

RESOLUTION NO.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION OF BUTLER COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

SECTION 1: Council in accordance with the Ohio Revised Code previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2009.

SECTION 2: The Budget Commission of Butler County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is outside the ten mill tax limitation and what part is within the ten mill tax limitation.

SECTION 3: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION: 4: There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation, as set forth on Schedule A attached hereto and incorporated herein by reference:

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

____

MAYOR

ADOPTED: ____________________

ATTEST:

____

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE

BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES

AND CERTIFYING THEM TO THE COUNTY AUDITOR

(VILLAGE COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the CITY of OXFORD , Butler County, Ohio, met in

____________________ session on the ________ day of __________________________, 20_______, at the
(regular or special)

office of ____ with the following members present:

____

____

____

____

____

____

____

____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2009; and

WHEREAS, the Budget Commission of Butler County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the CITY of OXFORD Butler County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	AMOUNT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED: INSIDE 10 MILL LIMIT	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED: OUTSIDE 10 MILL LIMIT
GENERAL FUND	960,000.00		3.65	
GENERAL BOND RETIREMENT FUND				
PARK FUND				
RECREATION FUND				
FIRE LEVY				
POLICE LEVY				
TOTAL	960,000.00	0.00	3.65	0.00

and be it further

RESOLVED, That the Clerk of this Council be, and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

________________________ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

____________________________, _______

____________________________, _______

____________________________, _______

____________________________, _______

____________________________, _______

____________________________, _______

____________________________, _______

Adopted the _______ day of __________________, 20____.

____
PRESIDENT OF COUNCIL

____
CLERK OF COUNCIL

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Butler County, ss.

I,______________________________, Clerk of the Council of the Village of _____________________________,

within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original ____

now on file, that the foregoing has been compared by me with said original document, and that the the same is a true and correct copy thereof.

WITNESS my signature, this ________ day of _______________________________, 20______

CLERK OF COUNCIL

NOTE: A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as may be approved by the Board of Tax appeals.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (VILLAGE COUNCIL)

ADOPTED____________________________,20______ FILED___________________________, 20____

CLERK OF COUNCIL COUNTY AUDITOR

DEPUTY AUDITOR

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: **September 2, 2008**

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department
Originating Department

Michael Dreisbach
Prepared By

August 26, 2008
Date Prepared

Agenda Title: Authorization for Design and Engineering Services

Recommendation: Approval

Discussion:

The City has used Arcadis Engineering (formerly Finkbeiner, Pettis & Strout, Inc.) for several years to provide professional engineering services. This work has been done predominately at the City's wastewater treatment plant (WWTP), and the City has been very pleased with Arcadis' services. Recent improvements at the WWTP have included a new disc aeration installation that has not only kept the Plant in compliance with our OEPA permit, but has also netted a savings of approximately $5,000 per month in electricity expenditures.

The City's current agreement with Arcadis is in force through December 31, 2011. Under this agreement, Arcadis performs design and engineering work for projects and improvements defined in the WWTP Master Plan. Design work needs to be completed for several upcoming projects including the rehabilitation of the Plant's anaerobic digester, replacement and improvement of the primary clarifier mechanical systems, phosphorus removal from Plant effluent, and replacement of the Plant's influent heat exchanger. Arcadis' design work has been very thorough and accurate, and change orders have been held to less than 3% for our most recent multi-million dollar project.

Funding has already been encumbered to pay for WWTP engineering and improvements. Staff is requesting the City Council's authorization to proceed; this Resolution will authorize work to commence with Arcadis Engineering for an amount not to exceed $230,000.

Approved By:

	Initial	Date
Department Head:	MBD	8/26/08
City Manager:	DRE/MRA	8/29/08

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCADIS ENGINEERING FOR ADDITIONAL ENGINEERING AND DESIGN WORK FOR PROJECTS AND IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT AT A COST NOT TO EXCEED $230,000.00.

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

SECTION 1: The City Manager and Service Director recommend Council authorize the City Manager to enter into a contract with Arcadis Engineering for additional engineering and design work for projects and improvements at the Wastewater Treatment Plant at a cost not to exceed $230,000.00.

SECTION 2: Council accepts the recommendation of the City Manager and Service Director for additional engineering and design work for projects and improvements at for the Wastewater Treatment Plant at a cost not to exceed $230,000.00.

SECTION 3: Council authorizes the City Manager to enter into a contract with Arcadis Engineering for additional engineering and design work for projects and improvements at the Wastewater Treatment Plant at a cost not to exceed $230,000.00.

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

MAYOR

ADOPTED: ____________________

ATTEST:

DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

RESOLUTION NO. 4143

A RESOLUTION ACCEPTING THE PROPOSAL AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCADIS FPS FOR ENGINEERING AND DESIGN WORK FOR THE WASTEWATER TREATMENT PLANT AT A BASE COST OF $434,000.000 PLUS A CONTINGENCY OF 10% OR $43,400.00 FOR A TOTAL NOT TO EXCEED COST OF $477,400.00.

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

SECTION 1: The City Manager and Service Director recommend Council accept the proposal of Arcadis FPS as the lowest and best bid for engineering and design work for the Wastewater Treatment Plant at a base cost of $434,000.00 plus the contingency of $43,400.00 and authorize the City Manager to enter into a contract with Arcadis FPS for the improvements to the Wastewater Treatment Plant.

SECTION 2: Council accepts the recommendation of the City Manager and Service Director and accepts the proposal of Arcadis FPS for the improvements to the Wastewater Treatment Plant at a base cost of $434,000.00 plus contingency.

SECTION 3: Council further authorizes the City Manager to enter into a contract with Arcadis FPS for the Wastewater Treatment Plant improvements at a cost not to exceed $477,400.00.

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

MAYOR

ADOPTED: December 20, 2005

ATTEST:

Donna J. Heck

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JEROME CONLEY

PREPARED BY: LAW(STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: September 2, 2008

Account Code No. #:

Budgeted Amount:

Community Development Department
Originating Department

Jung Han Chen
Prepared By

August 20, 2008
Date Prepared

Agenda Title:	**Revised HAPC Rules of Procedure**

Recommendation:	**Approval**

Discussion:

The Historical & Architectural Preservation Commission has performed an annual review of their Rules of Procedure and is recommending City Council approve with the revisions noted.

The Rules of Procedure document is attached for your review.

Approved By:

	Initial	**Date**
Department Head:	JHC	8/20/08
City Attorney:		
City Manager:	DLB	8/29/08

RESOLUTION NO.

RESOLUTION AMENDING THE HISTORIC AND ARCHITECTURAL PRESERVATION COMMISSION'S RULES OF PROCEDURE.

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

SECTION 1: The Historic and Architectural Preservation Commission's Rules of Procedure enacted by Resolution No. 3143, adopted March 7, 1995, be and the same is hereby repealed and the following adopted.

SECTION 2: The Historic and Architectural Preservation Commission's Rules of Procedure are attached hereto and incorporated herein as exhibit "A".

SECTION 3: This Resolution shall take effect at the earliest time allowed by law.

____
MAYOR

ADOPTED: ________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

"A"

RULES OF PROCEDURE
FOR THE
HISTORIC AND ARCHITECTURAL PRESERVATION COMMISSION

Article I – Membership

The Historic and Architectural Commission is established by Ordinance No. 1544 by the Council of the City of Oxford, Butler County, State of Ohio. Membership shall consist of seven members. All members shall have, to the greatest extent practicable, interest and proficiency in historic and architectural preservation and adaptive reuse. All shall be residents of the City of Oxford. ~~At least four of these shall own real estate in the City of Oxford.~~ **One member shall be an owner of real property or be a proprietor of a business in one of Oxford's Historic Districts. Two members should have professional training or be employed in professions related to historic preservation, architecture, architectural history, history, archaeology, planning, real estate, building construction, or law related to any of these. Two members should own real property in Oxford, and have demonstrated a special interest in historic preservation and related matters.** One member shall be a member of the Oxford Planning Commission and one member shall be a member of the Oxford City Council. Members of the Commission shall be appointed by a majority of City Council and shall serve four year overlapping terms of office with one term expiring each year. The City Manager, as authorized by Section 8.12 of the Oxford Charter, shall serve as an ex-officio member of the Commission.

ARTICLE II – Jurisdiction and Function

In accordance with Ordinance No. ~~1544~~ **2734** of the Code of the City of Oxford, the Commission shall have the following jurisdiction, powers, and duties:

1. The Commission shall be empowered to conduct or coordinate a survey or surveys of all areas, places, structures, works of art, or objects in the City of Oxford which the Commission has reason to believe are or will be eligible for designation as historic sites or historic districts.
2. It shall be the duty of the Commission to recommend the designation of historic districts or sites and to review all plans for the construction, alteration, repair, moving or demolition of historic sites and structures in a historic district and it shall have sole power to issue a Certificate of Appropriateness. (See ~~Section 1201.04~~ Chapter 1331 for further specification)

ARTICLE III – Offices and Duties of Members and Staff

Section 1. At the first meeting of each calendar year, the Commission shall elect one of its members as Chair **and** one as Vice-Chair, except that the member of the Planning Commission **or Council** shall not stand eligible for any of the aforementioned offices.

Section 2. The Chair shall preside at all meetings of the Commission, shall call special meetings, and shall be responsible for the preparation of the agenda of each business meeting~~s~~. The Chair shall also represent the Commission in matters and areas of concern to the Commission when so directed by a majority of its members and/or by City Council. The Chair shall advise and keep the members apprised of Commission related matters; and, shall perform such other duties commonly prescribed to such office and those duties that are deemed appropriate and necessary by other members of the Commission and/or City Council.

Section 3. The Vice-Chair shall perform the same duties as the Chair in his/her absence; shall be responsible with the aid of the Historic Preservation Administrator and the Law Director for the orientation of and the dissemination of all pertinent Commission materials for all newly appointed members.

Section 4. In the event that the Chair and the Vice-Chair are both absent from a meeting, the remaining members shall select a Chair Pro-Tem who shall perform the same duties as the Chair for the balance of the meeting.

Section 5. The Recording Secretary shall record, either in manuscript or by mechanical tape recording, the proceedings of all business meetings, hearings, and public meetings, and shall prepare the minutes therefrom. All such recorded proceedings (manuscript or tapes) shall be preserved for a period of six months. A record shall be made by the Recording Secretary and be placed in the minutes of each business meeting indicating the vote of each member by name relative to each agenda item. Said minutes shall be placed in the Public Record and shall be maintained in the office of the Historic Preservation Administrator.

Section 6. The Law Director serves as the legal counselor to the Commission in accordance with Section 5.0~~5~~ **4** of the Oxford Charter and Section 125.02 of the Oxford Administrative Code and shall be responsible for advice, interpretation, and recommendation in all matters relating to Commission business.

Section 7. The Historic Preservation Administrator with the concurrence of the City Manager (see Section~~s~~ 121.02 ~~and 127.10~~ of the Oxford Administrative Code) shall report on agenda items; shall be responsible for the compiling and maintaining of all documents and communications received by the Commission; shall notify in writing petitioners and/or affected parties and the news media of meetings, hearings and the like; shall request and assemble all pertinent documents and information relative to agenda items; shall keep the Public Record of Commission matters on file in his/her office in the Municipal Building ~~and make same available for public inspection at the Smith Library of Regional History~~; and, shall make available to petitioners, affected parties and/or the public the rules and regulations relative to Commission procedures.

ARTICLE IV – Meetings

Section 1. **A** ~~R~~regular business meeting~~s~~ of the Commission upon the call of the Chair is **usually** held at 7:30 p.m. on the first Wednesday of each month, or as scheduled by the Commission. Additional business meetings may be called by the Chair or by any two (2) members when deemed necessary and appropriate, or when mandated by requirements of Section ~~1201~~ **1331** of the Oxford Code. All Commission meetings are open to the public for attendance and participation and shall be announced to the public and the news media at least two days in advance of the meetings.

Section 2. The Chair or any two (2) members may call a work session. Work sessions are for the purpose of studying appropriate matters pertinent to the duties of the Commission. The public is invited to attend the entire work session and may participate ~~during the first and last fifteen (15) minutes (and at other times~~ at the discretion of the Chair), of such sessions in matters relative to the agenda or matters discussed during the work session. Notice of the call for special meetings or a work session shall be communicated to the public and the news media at least two days ~~24 hours~~ in advance of said meetings.

Section 3. All meetings, including Executive Sessions, shall be held and conducted in conformance with the Ohio Sunshine Law (Ohio Revised Code, Section 121.22, see Appendix B).

Section 4. Quorum for all meetings and work sessions shall consist of four members present at the meeting.

Section 5. All questions concerning the governance of the Commission business meetings and the transaction of such business shall be decided in accordance with parliamentary rules as contained in the latest Revised Edition of Robert's Rules of Order.

ARTICLE V – Voting

Section 1. The voting members of the Commission are the five citizen members appointed by City Council, one Planning Commission representative, and one Council representative.

Section 2. A majority vote of those members present shall be necessary to pass any item of business that is brought before the Commission. Where only a quorum is present at any business meeting an affirmative vote of three (3) members is necessary to validate the passage of any motion or recommendation. Any motion where only quorum is present which results in a tie vote shall become automatically an agenda item for the next regular business meeting or, if so required by ordinance, at a specially called business meeting.

Section 3. No Commission member shall participate in the discussion or vote on any matter in which a personal interest exists. It shall be the responsibility of the Chair to inquire whether a personal interest exists. Members having such a personal interest shall absent themselves from the Commission during that portion of the meeting in which said matter is being deliberated and voted upon.

Section 4. Any member may include in the Commission's recommendations to the City Council a minority report in regard to any agenda item.

ARTICLE VI – Public Hearings

Section 1. Public hearings pertinent to Commission matters initiated and conducted by the City Council should be attended by Commission members for the purpose of gathering relevant information which may be presented at the hearing. At the Commission's next regular monthly business meeting or at a specially called business meeting (if so required by deadlines specified by ordinance), the Commission shall consider the matter, may solicit a written opinion from the Planning Commission and make its recommendation to City Council.

Section 2. All Commission members shall be notified by the Clerk of City Council of public hearings established by the Council on subjects pertaining to Commission matters.

Section 3. When a public hearing has been requested by a petitioner under the purview and authority of Chapter ~~1201~~ **1331** of the City Code, the Commission shall set forth the time and place of the hearing and shall give written notice to the petitioner of the time, date and place of said hearing and the Commission shall make public notice of the same. Such hearing shall be held not more than thirty days after the written request for the hearing or may be held within such a time as is mutually agreed upon by the Commission and the petitioner. The Historic Preservation Administrator shall transmit in writing its findings and final determination to the petitioner not later than thirty (30) days following the date of the hearing.

ARTICLE VII – Business Procedures

Section 1. Agenda items of business must be received at the City Manager's Office in the Municipal Building no later than ~~12:00 noon of the second Monday~~ **5:00 p.m., nineteen (19) days** preceding the regular monthly business meeting. Business items that are submitted after this time shall be considered at the next business meeting or at a special meeting as required to satisfy time requirements mandated by Section ~~1201~~ **1331**.

~~**Section 2.** The Agenda for the regular monthly business meeting shall follow the format set forth in Appendix A hereof. An Agenda shall not be required for additional business meetings called by the Chair unless new items of business are to be considered at the additional meeting.~~

Section ~~3~~ 2. Each agenda item of business that is submitted for the Commission's consideration must be complete, that is, it must contain all pertinent information such as: plans for new construction, renovation, rehabilitation or for alteration, repair or demolition of any area, place, structure, work of art, or object which falls under the designation of historic site or historic district. Such complete information shall be required when necessary and applicable in accordance with the requirements stipulated by the appropriate sections of Chapter ~~1201~~ **1331** of the City Code (or other pertinent ordinances) under which the agenda item is being considered.

Section 4. In order ~~that~~ **for** the Commission ~~may~~ **to** fulfill its responsibilities and duties in rendering proper consideration to any petition submitted by an individual or individuals, said individual or individuals or agent or legal representative shall be present at the business meeting and shall fully inform themselves of the ordinance, rules, and regulations relative to the business item involved. It shall be the duty of the Historic Preservation Administrator to inform said party or parities in writing of the time, date, place, and purpose of the meeting. The Commission shall reserve the right to dismiss or postpone any petition if the petitioner, his agent, or legal representative is not present at the meeting or has not requested in writing a reasonable extension of time for a proper presentation of said petition.

Section 5. The Commission renders its decision on all petitions in accordance with **Chapter 1331** ~~the Oxford Code of Ordinances~~. Between the time of the receipt of a petition and the deadline for Commission approval, disapproval, or report, the Commission may:

a) conduct surveys;
b) hold special meetings (prior to or in addition to the advertised public hearing required by the various ordinances) for the purpose of eliciting pertinent information from interested parties;
c) conduct such investigations as it deems necessary and desirable.

Section 6. **The Recording Secretary shall** ~~P~~prepare an annual report for submission to City Council in February.

~~APPENDIX A~~

~~AGENDA~~

~~HISTORIC & ARCHITECTURAL PRESERVATION COMMISSION~~

~~DATE~~

~~HOUR~~

~~MEMBERS~~

~~Chairperson —— Member~~
~~Vice-Chairperson —— Member~~
~~—— Member~~
~~Member of Planning Commission~~
~~Member of City Council~~

~~STAFF~~

~~Historic Preservation Administrator —— City Manager~~
~~Recording Secretary —— Law Director~~

~~1. Call to Order~~

~~2. Approval of agenda and items for discussion~~

~~3. Minutes of previous meeting~~

~~4. Requests for review~~

- ~~a) Requests for sketch review~~
- ~~b) Requests for Certificate of Appropriateness~~
- ~~c) Requests for review of administration findings relevant to condition standards~~

~~5. Items related to Designation of Historic Sites or Districts~~

- ~~a) Surveys, studies, reports~~

~~6. Announcements & Communications~~

~~Announcements relevant to historic or architectural preservation locally regionally or nationally~~

~~7. Communications~~

~~Letters from the public, council or other commissions not relevant to any other agenda item~~

~~8. Old Business~~

~~9. New Business~~

~~10. Adjourn~~

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: September 2, 2008

Account Code No. #:

Budgeted Amount:

Community Development Department
Originating Department

Jung Han Chen
Prepared By

August 20, 2008
Date Prepared

Agenda Title:	**Revised Planning Commission Rules of Procedure**

Recommendation:	**Approval**

Discussion:

The Planning Commission has performed an annual review of their Rules of Procedure and is recommending City Council approve with the revisions noted.

The Rules of Procedure document is attached for your review.

Approved By:

	Initial	Date
Department Head:	JHC	8/20/08
City Attorney:		
City Manager:	DRE	8/28/08

RESOLUTION NO.

RESOLUTION AMENDING THE PLANNING COMMISSION'S RULES OF PROCEDURE.

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

SECTION 1: The Planning Commission's Rules of Procedure enacted by Ordinance No. 753, adopted April 21, 1953, be and the same is hereby repealed and the following adopted.

SECTION 2: The Planning Commission's Rules of Procedure are attached hereto and incorporated herein as exhibit "A".

SECTION 3: This Resolution shall take effect at the earliest time allowed by law.

____
MAYOR

ADOPTED: _______________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

"A"

RULES OF PROCEDURE FOR THE PLANNING COMMISSION OF THE CITY OF OXFORD, OHIO

ARTICLE I – Membership

The Planning Commission is established by Section 8.06 of the Charter of the City of Oxford, Ohio. Membership shall consist of seven members, two of whom are members of Council, selected by Council for a term of one year; and five citizen members, appointed by Council from among the qualified electors of the City. Planning Commission shall be sworn into office at his/her first meeting. The five citizen members shall serve five-year overlapping terms of office with one term expiring each year. Citizen members of the Planning Commission shall hold no other public office, except that one such member may be a member of the Board of Education.

The City Manager, as authorized by Section 8.12 of the Oxford Charter, shall serve as an ex-officio member of the Planning Commission.

ARTICLE II – Jurisdiction and Function

In accordance with Section 8.07 of the Charter of the City of Oxford, Ohio, the Planning Commission:

> may act as the Platting Commission of the municipality. As such, it shall provide for planning, zoning and regulations covering platting of all lands which are subject to control by the municipality, and shall cause an official map to be made. The Commission shall carry out the municipal planning function including the preparation of a master plan, and make such investigations, reports, and recommendations relating to planning and the physical development of the City as it finds necessary and desirable.

ARTICLE III – Offices and Duties of Members and Staff

Section 1. At the first meeting of each year, the Planning Commission shall elect one of its members as Chair, one as Vice-Chair, and one as Executive Secretary.

Section 2. The Chair shall preside at all meetings of the Commission, shall call special meetings, and shall be responsible for the preparation of the agenda of each meeting. The Chair shall also represent the Planning Commission in matters and areas of concern to the Commission when so directed by a majority of its members and/or City Council; shall advise and keep the Commission members informed of Planning Commission related matters; and, shall perform such other duties commonly prescribed to such office and those duties that are deemed appropriate and necessary by the other members of the Commission and/or City Council.

Section 3. The Vice-Chair shall perform the same duties as the Chair in his absence; shall be responsible with the aid of the Planning Director, Planner and the Law Director, or designee, for the orientation of and the dissemination of all pertinent Planning Commission materials to all newly appointed members.

Section 4. In the event that the Chair and the Vice-Chair are both absent from a meeting, the remaining members shall select a Chair Pro-Tem who shall perform the same duties as the Chair for the balance of the meeting.

Section 5. The Recording Secretary shall record, either~~ in manuscript or by mechanical tape recordings~~, the proceedings of all business meetings, hearings, and public meetings, and shall prepare the minutes therefrom. All such recorded proceedings (manuscript or tapes) shall be preserved as provided for in the City's records retention policy. A record shall be made by the Recording Secretary and be placed in the minutes of each business meeting indicating the vote of each member by name relative to each agenda item. Said minutes shall be placed in the Public Record and shall be maintained on file in the office of the Planning Director.

Section 6. The Executive Secretary shall be responsible for the accuracy of the minutes of the meetings of the preceding month, prepared by the Recording Secretary, for approval at the next business meeting, and shall be responsible for such communications, as may be directed by the Commission.

Section 7. The Law Director serves as the legal counselor to the Planning Commission in accordance with Section ~~5.05~~ **5.04**. of the Oxford Charter and Section 125.02 of the Oxford Administrative Code and shall be responsible for advice, interpretation, and recommendation in all matters relating to Planning Commission business. The Law Director shall be present **at** all regular monthly business meetings of the Planning Commission. At such other times when the Law Director's services and legal counsel are required, he shall be given 48 hours notice in advance of such meetings.

Section 8. The Planning Director ~~and Assistant City Manager~~, with the concurrence of the City Manager (see Sections 121.02 and 127.10 of the Oxford Administrative Code), shall report on agenda items; shall be responsible for the compiling and maintaining of all documents and communications received by the Planning Commission; shall notify in writing petitioners and/or affected parties and the news media of meetings and hearings; shall request and assemble all pertinent documents and information relative to agenda items; shall keep the Public Record of Planning Commission matters on file in the Planning Director's office in the Municipal Building and make same available for public inspection; shall make available to petitioners, affected parties and/or the public the rules and regulations relative to Planning Commission procedures; shall advise the Commission of all lot splits, the packaging of lots, and the like.

ARTICLE IV – Meetings

Section 1. The regular monthly business meeting of Planning Commission shall be held in the Oxford Courthouse at **7:30** p.m. during the second week of each month, unless otherwise scheduled. Additional business meetings may be called by the Chair or any two (2) members when deemed necessary and appropriate. All meetings are open to the public for attendance and participation and shall be announced to the public and the news media at least 2 days in advance of the meetings.

Section 2. The Chair or any two members may call a work session. Work sessions are for the purpose of studying appropriate matters pertinent to the duties of the Planning Commission. The public is invited to attend the entire work session and may participate during the first and last fifteen minutes, and at other times at the discretion of the Chair, of such sessions in matters relative to the agenda or matter discussed during the work session. Notice of the call for special meetings or a work session shall be communicated to the public and the news media at least 2 days in advance of said meeting.

Section 3. All meetings, including Executive Meetings, shall be held and conducted in conformance with the Ohio Revised Code, Section 121.22. (See Appendix "B")

Section 4. Quorum for all meetings and work sessions shall consist of four members present at the meetings.

Section 5. All questions concerning the governance of the Planning Commission business meetings and the transaction of such business shall be decided in accordance with parliamentary rules as contained in the latest Revised Edition of Robert's Rules of Order.

ARTICLE V – Voting

Section 1. The voting members of the Planning Commission are the five citizen members and the two Council members.

Section 2. A majority vote of those members present shall be necessary to pass any item of business that is brought before the Commission. Where only the minimum quorum is present at any business meeting an affirmative vote of three members is necessary to validate the passage of any motion or recommendation. Any motion which results in a tie vote shall become automatically an agenda item for the next regular business meeting, or, if so required by ordinance, at a specially called business meeting.

Section 3. The Chair is entitled to vote on all matters under consideration by the Planning Commission.

Section 4. No Planning Commission member shall participate in the discussion or vote on any matter in which he has a personal interest as Planning Commission member. It shall be the responsibility of the Chair to inquire whether a personal interest exists. Any member having such a personal interest shall absent himself from the Commission during that portion of the meeting in which said matter is being deliberated and voted upon.

Section 5. Any participating member may include in the Planning Commission's recommendations to City Council a minority report in regard to any agenda item.

ARTICLE VI – Public Hearings

Section 1. Public hearings pertinent to Planning Commission matters initiated and conducted by the City Council should be attended by Planning Commission members for the purpose of gathering relevant information which may be presented at the hearing. At its next regular monthly business meeting or, if so required by deadlines specified by ordinance, at a specially called business meeting, the Planning Commission shall consider the matter and make its recommendation to City Council.

All Planning Commission members shall be notified by the Clerk of Council of public hearings established by Council on subjects pertaining to Planning Commission matters.

ARTICLE VII – Business Procedures

Section 1. Agenda items of business must be received in the Planning Department's Office in the Municipal Building no later than ~~12:00 noon, ten~~ **5:00 p.m., and forty-five (45)** days prior to the regular business meeting. Business items that are submitted after this time shall be considered at the next business meeting.

Section 2. The agenda for the regular monthly business meeting shall follow the format set forth in Appendix A hereof. An agenda shall not be required for additional business meetings called by the Chair unless new items of business are to be considered at the additional meeting.

Section 3. Each agenda item of business that is submitted for the Planning Commission's consideration must be complete, that is, it must contain all pertinent information, such as: maps, diagrams, sketches, detailed specifications, etc., where necessary and applicable, in accordance with the requirements stipulated by the appropriate ordinance under which the agenda item is being considered.

Section 4. In order that Planning Commission may fulfill its responsibilities in rendering proper consideration to any petition, request, or plat submitted by an individual or individuals, said individual or individuals or agent or legal representative shall be present at the business meeting and shall fully inform themselves of the ordinance, rules, and regulations relative to the business item involved. It shall be the duty of the Zoning Administrator to inform said party or parties in writing of the time, date, place, and purpose of the meeting.

The Planning Commission shall reserve the right to dismiss any petition, request, plat, etc., if the petitioner, his agent, or legal representative is not present or has not requested in writing a reasonable extension of time for a proper presentation of said petition, request, plat, and the like.

Section 5. The Planning Commission renders a decision on petitions, subdivisions, plats, plans, etc., in accordance with the Oxford Code of Ordinances. Between the time of receipt of the petitions, subdivision, plats, plans, etc., and the deadline for Planning Commission approval, disapproval, or report, the Planning Commission may:

a) conduct surveys;
b) hold special meetings (prior to or in addition to the advertised public hearing required by the various ordinances) for the purpose of eliciting pertinent information from interested parties;
c) conduct such investigations it deems necessary and desirable

Section 6. Changes made on Final Plats by Council shall be reported to the Planning Commission by the Zoning Administrator.

Section 7. For zoning change requests, see Oxford Code of Ordinances, ~~Section 1125.01~~ **Chapter 1135**.

ARTICLE VIII – Planning Procedures

Section 1. During the fourth quarter of each year, the Planning Commission shall review the Code of Ordinances as they pertain to Planning and the Comprehensive Plan and the revisions thereof, which have been suggested during the previous twelve (12) months (See Agenda item 8-F); following such review the Planning Commission shall formulate an Annual Report and any recommendations concerning any changes it deems desirable in any portion of the Comprehensive Plan. Those recommendations shall be submitted to the Oxford City Council in October, together with suggestions as to the means to accomplish the recommended changes.

APPENDIX A – Format of Agenda

AGENDA

OXFORD PLANNING COMMISSION
DATE
HOUR

MEMBERS

Five-Year Terms | One-Year Terms

STAFF

Planning Director | Law Director

1. Call to Order

2. Minutes of Previous Meeting

3. Announcements

   a. Public hearings or public meetings scheduled by Planning Commission
   b. Public hearings scheduled by Council
   c. Public hearings scheduled by County Boards or Commissions
   d. Seminars, Workshops, etc.
   e. Others

4. Monthly Reports

   a. Reports of Buildings Permits issued
   b. Reports of actions taken by Oxford Board of Zoning Appeals
   c. Reports of actions taken by the Historic, Architectural Preservation Commission
   d. Report of Council Actions on Reports submitted by Planning Commission
   e. Report from Oxford's Representative to O.K.I.
   f. Reports from Talawanda School District, Butler County Boards or Commissions, Miami University (State of Ohio), O.K.I., or other units or government
   g. One (1) motion to receive all reports

5. Communications

6. Items related to Platting

   a. Lot split
   b. Preliminary plans of subdivisions
   c. Report of Final Subdivision Plans approved by Zoning Administrator or Council (Planning Commission approval not required when Final Plan conforms exactly to approved Preliminary)
   d. Petitions for street or alley vacation
   e. Report by Zoning Administrator of any changes made on Official Map of Municipality (new streets, newly-annexed areas, etc.)

7. Items related to Zoning

   a. Proposed Amendments of the Code or Zoning Map
   b. Preliminary Plans for Planned Developments, Final Plans for Planned Developments
   c. Conditional Uses
   d. Alternate Landscaping Plans

8. Items related to the Oxford Comprehensive Plan

   a. Land Use Plan
      i. Annexation Petitions
      ii. Proposed developments in Oxford Urban Area
   b. Major Thoroughfare Plan – Highways (Federal, State, and County), new subdivision streets, etc.
   c. School Plan
   d. Parks
   e. Public Utilities
      i. Municipal Utilities
      ii. Rural Water Systems
      iii. O.K.I. Regional Sewer Plans, etc.
   f. Formulate any recommendations to Council necessary to update Comprehensive Plan.

9. Other Business

10. Adjourn or Recess to Call of Chair

APPENDIX "B"

RULES AS REQUIRED BY R.C. 121.22
COMMONLY KNOWN AS THE SUNSHINE LAW

SECTION 1: All meetings of Planning Commission, other than authorized Executive Sessions, shall be open to public attendance.

SECTION 2: Planning Commission will fully comply with both the letter and the spirit of R.C. 121.22.

SECTION 3: The regularly scheduled meetings of the Planning Commission shall be held on the second Tuesday of the month in the Council Chambers in the Oxford Courthouse, commencing at 7:30 p.m. Within the context of this rule, a special meeting is deemed to be any meeting scheduled or called for a date or place or time other than as hereinabove specified. Such special meeting, as so defined solely for the purpose of this rule, may be for the purpose of:

1. Continuing or commencing a regular meeting of Planning Commission in discussing and acting upon all such business as may come before the Commission; or
2. A true Special Meeting within the context of parliamentary definition wherein the purpose of the meeting shall be to consider only specific and enumerated matters, and in which action will not be taken on matters unrelated to the matter, or matters, for which such a meeting is held. No special meeting, as defined herein, shall be held unless the Chair or any two (2) members, through the City Manager, shall have given at least 24 hours advance notice of the date, time, place and purpose of such meeting, to those news media that have requested notification except in the event of any emergency. An emergency exists when immediate official action is necessary and in that event the member, or members, calling such a meeting shall immediately notify such news media as have requested notification of the date, time, place and purpose of such meeting.
3. Any person may determine the date, time and place of regularly scheduled meetings by phoning or contacting the City Manager at the City Building.
4. Any person may determine the date, time, place and purpose of special meetings, as defined herein, by making such a request, in writing, to the City Manager, and setting forth his or her name, address and telephone number. The City Manager shall notify such person of the date, time, place and purpose of special meetings, either by mail or telephone, and will in any case endeavor, with all reasonable effort and dispatch, to make such notification immediately. When time permits reasonable anticipation of timely mail delivery, the City Manager may notify such person by mail. When, in the judgment of the City Manager, it seems reasonable to believe mail notification will not be timely, the City Manager will make all reasonable efforts to contact such person by telephone. Long Distance calls will only be placed collect.

SECTION 4: Any person desiring information as to any specific business to be discussed at a meeting, may obtain advance notification of the proposed discussion by securing a copy of the meeting agenda by any or all of the following methods:

1. Agendas for regularly scheduled meetings will be available, without charge, at the Police Department Dispatcher's Office on the Saturday, Sunday, Monday or Tuesday preceding the regularly scheduled meeting.
2. Agendas for special meetings will be available immediately upon their preparation at the Police Department Dispatcher's Office, without charge.
3. Persons paying an annual fee of $10.00 to the City Manager, and providing said City Manager with self-addressed business-size envelopes (approximately 9" x 4"), with sufficient First Class postage affixed thereto, will be mailed all Planning Commission agendas upon their preparation, for so long as the City Manager has a supply of such required envelopes. It shall be the sole obligation of the person requesting such mailings to determine that the City Manager has sufficient envelopes to continue mailing agendas for so long as such person desires to receive agendas. The fee required hereunder shall be a calendar year fee and shall be due once each calendar year regardless of the date upon which the request for such mailings is filed.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 2, 2008

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 25, 2008
Date Prepared

Agenda Title: Resolution supporting the Talawanda City School District's proposed Bond Issue.

Recommendation:

Discussion: This is a Resolution of support for the Talawanda City School District's proposed Bond Issue.

Attached is information from the Butler County Board of Elections.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DRB	8/28/08

RESOLUTION NO.

A RESOLUTION SUPPORTING THE TALAWANDA CITY SCHOOL DISTRICT'S PROPOSED BOND ISSUE.

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

SECTION 1: Oxford City Council believes the passage of the proposed Bond Issue is of benefit to the community and will provide the tools necessary for students to thrive in a global economy.

SECTION 2: The Oxford City Council supports the passage of the Talawanda City School District's proposed Bond Issue for the purpose of new construction, improvements, renovations and additions to school facilities, site acquisition and providing equipment, furnishings and site improvements.

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

____
MAYOR

ADOPTED: ____________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

PROPOSED TAX LEVY (RENEWAL)
ST. CLAIR TOWNSHIP (UNINCORPORATED AREA)
A renewal of a tax for the benefit of St. Clair Township for the purpose of PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS, OR SITES THEREFOR, OR SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR, OR THE ESTABLISHMENT AND MAINTENANCE OF LINES OF FIRE ALARM TELEGRAPH, OR THE PAYMENT OF PERMANENT, PART-TIME, OR VOLUNTEER FIREFIGHTERS OF FIREFIGHTING COMPANIES TO OPERATE THE SAME, INCLUDING THE PAYMENT OF THE FIREFIGHTER EMPLOYERS? CONTRIBUTION REQUIRED UNDER SECTION 742.34 OF THE REVISED CODE at a rate not exceeding three quarters of one (0.75) mill for each one dollar ($1.00) of valuation, which amounts to seven and five-tenths cents ($0.075) for each one hundred dollars ($100.00) in valuation, for a period of five (5) years, commencing in January, 2009 first due in calendar year 2010.

PROPOSED SCHOOL INCOME TAX (REPLACEMENT)
ROSS LOCAL SCHOOL DISTRICT
Shall the existing tax of three-quarters of one percent (0.75%) on the school district income of individuals and estates imposed by Ross Local School District be replaced by a tax of three-quarters of one percent (0.75%) on the earned income of individuals residing in the school district for a continued period of time, beginning January 1, 2009, for the purpose of PROVIDING FOR CURRENT EXPENSES OF THE SCHOOL DISTRICT.

PROPOSED BOND ISSUE
TALAWANDA CITY SCHOOL DISTRICT
Shall bonds be issued by the Board of Education of the Talawanda City School District, Counties of Butler and Preble, Ohio, for the purpose of NEW CONSTRUCTION, IMPROVEMENTS, RENOVATIONS AND ADDITIONS TO SCHOOL FACILITIES, SITE ACQUISITION AND PROVIDING EQUIPMENT, FURNISHINGS AND SITE IMPROVEMENTS THEREFOR, in the principal amount of Forty-Six Million Forty-Nine Thousand Six Hundred Sixty-Nine Dollars ($46,049,699) to be repaid annually over a maximum period of twenty-eight (28) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue four and seven-tenths (4.7) mills, for each one dollar ($1.00) of valuation, which amounts to forty-seven cents ($0.47) for each one hundred dollars ($100.00) of tax valuation, commencing in 2008, first due in calendar year 2009 to pay the annual debt charge on the bonds, and to pay debt charges on any notes issued in anticipation of those bonds.

PROPOSED BOND ISSUE
WAYNE TOWNSHIP
Shall bonds be issued by the Board of Township Trustees of Wayne Township, County of Butler, Ohio, for the purpose of ACQUIRING AND CONSTRUCTING A FIREHOUSE AND RELATED APPARATUS, BUILDINGS AND IMPROVEMENTS FOR THE TOWNSHIP FIRE DEPARTMENT in the principal amount of Seven Hundred Thousand Dollars ($700,000) to be repaid annually over a maximum period of seven (7) years, and an annual levy of property taxes to be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue one and three tenths (1.3) mills, for each one

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

City Manager
Originating Department

Council Meeting Of: September 2, 2008

Doug Elliott
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 26, 2008
Date Prepared

Agenda Title: A Resolution authorizing the City Manager to permit the Oxford Chamber of Commerce to hold the Annual Wine Tasting Affair in the Uptown Parks.

Recommendation:

Discussion: Earlier this year City Council approved a resolution authorizing the City Manager to permit the Oxford Chamber of Commerce to hold a wine tasting event on June 26th and 27th 2008 in the Uptown Parks. It was understood that the Chamber would move the event the following year to the Oxford Community Arts' site. After this year's very successful and trouble-free event, the Oxford Chamber of Commerce decided to request permission to continue holding the wine tasting affair in the Uptown Parks. This decision was based, in part, on the input received from citizens attending this year's event. By keeping the event uptown, it enables attendees to fully enjoy all that Uptown Oxford has to offer including the many fine restaurants, unique retail stores, historic buildings, and beautiful Uptown Parks. On the legislative agenda is a Resolution authorizing the City Manager to permit the Oxford Chamber of Commerce to hold the annual wine tasting affair in the Uptown Parks. I am recommending that Council approve this Resolution.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:	DE	8/29/08

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PERMIT THE OXFORD CHAMBER OF COMMERCE TO HOLD THE ANNUAL WINE TASTING AFFAIR IN THE UPTOWN PARKS.

Be it resolved by the Council of the City of Oxford, Butler County, State of Ohio, that:

SECTION 1: The Oxford Chamber of Commerce plans to hold the annual Wine Tasting affair to promote local businesses and give people the opportunity to learn about the area's rich wine history while enjoying art, entertainment and music.

SECTION 2: The Oxford Chamber of Commerce will obtain an F-4 State of Ohio Liquor Permit, which will allow the Oxford Chamber of Commerce to (1) furnish at no charge, 2oz. samples of wine, (2) to sell wine by the glass for on premises consumption, and to (3) sell wine by the bottle for consumption off the premises.

SECTION 3: The Oxford Chamber of Commerce shall secure a liability insurance policy and an additional liquor liability policy which names the City of Oxford as an additional insured.

SECTION 4: Each winery that wishes to participate in the Wine Tasting Event will be required to carry a one million dollar ($1,000,000.00) liability policy.

SECTION 5: The City Manager is hereby authorized to take all steps necessary to permit the Oxford Chamber of Commerce to hold the annual Wine Tasting Affair in the Uptown Parks.

SECTION 6: This Resolution shall take effect at the earliest date allowed by law.

____
MAYOR

ADOPTED: ____________________

ATTEST:

____
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW(STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting Of: September 2, 2008

Account Code No. #:

Budgeted Amount:

Community Development
Originating Department

Kathryn A. Dale
Prepared By

August 21, 2008
Date Prepared

Agenda Title:	**Board of Zoning Appeals – August 20, 2008 Meeting Report**

Recommendation:	**N/A**

PUBLIC HEARINGS:
There were none.

OLD BUSINESS:
Rules of Procedure

During the BZA Training Session in July, it was suggested by the consultant that the BZA Rules of Procedure refer to the public hearing portions of their meeting as Adjudication Hearings, that City staff be designated to send the applicant the Findings of Fact (or official decision of the Board) and to change the Decision Standards in accordance with Ohio Supreme Court case law involving BZA decisions. Members of the Board and Staff, with Legal Council reviewed the Rules of Procedure and made recommended amendments. The BZA also asked Staff and Legal Council to add some additional language and their wish to review that language in a special meeting scheduled for September 3, 2008.

OTHER BUSINESS:
Discussion of BZA Training and the Conducting of BZA Meetings

BZA members discussed the suggested changes by the training consultant on how to make their meeting run smoother, how to focus on the facts of the case, evidence presented and testimony provided.

Most of the discussion focused on the new "Duncan Decision Standards" and a "Person With Standing".

The next regular meeting is scheduled for September 17, 2008. The BZA will hold a special meeting September 3, 2008 starting at 6:00 p.m. to review language to the BZA Rules of Procedure.

Approved By:

	Initial	**Date**
Department Head:	JAC	8/21/08
City Attorney:		
City Manager:	[signature]	8/29/08

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager	Community Development **Originating Department**
Council Meeting Of: September 2, 2008	
Account Code No. #:	Kathryn A. Dale **Prepared By**
Budgeted Amount:	August 19, 2008 **Date Prepared**

Agenda Title:	**Planning Commission Meeting Report – August 12, 2008**
Recommendation:	**N/A**

DISCUSSION

Appointments to Boards and Commissions:

Mr. Brewer announced that Mr. Hurston resigned from the Environmental Commission and that Mr. Wong has volunteered to serve on that commission as the Planning Commission Representative. The Commission voted 7-0 to appoint Mr. Wong to the Environmental Commission.

Communications:

Mr. Brewer submitted emails received by the Board from Ms. Zien and Mr. Prytherch

Public Hearing:

PC-13-2008 ***ZONING MAP AMENDMENT,*** *newly annexed territory from Oxford Township Agricultural to R1B (Single-Family Medium Density Residential) District,* ***Tim Meyers, Agent, Applicant***

Staff presented that the subject property containing approximately 54 acres of land between Fairfield and Contreras Road, west of the Knolls of Oxford was seeking "R1B" Medium Single Family Residential zoning designation which was recently accepted per an annexation agreement executed July 27, 2007 between the property owner and the City.

Mr. Jack Grove, Esq. & neighboring property owner spoke extensively about the effects of his farm next door and potential development constraints of the land. Mr. Grove requested postponement of action and to consider clustering as a requirement of the zoning designation and development.

The Planning Commission shared that there are some cluster/open space subdivision regulations that will be reviewed next month by the Planning Commission that the Applicant and owners may be interested in once they have started to design a layout, but that it would be the Applicant's choice if they wished to implement the potentially new regulations. The Commission voted 7-0 to recommend approval to City Council.

PC-14-2008 ***ZONING TEXT AMENDMENT,*** *Uptown Revitalization Committee Recommendations to Chapter 1143.10 Uptown District, 1159.07(8) Floor Area Ratio Definition, and 1149.05 Vehicle Management Non-Residential Regulations,* ***City of Oxford, Applicant***

Staff presented that on June 4, 2008 the Uptown Revitalization Committee finalized their recommendations and findings to the Uptown District, specifically in regards to Floor Area Ratio (FAR) and Section 404 of the Property Maintenance Code, as assigned to them in Resolution No. 4333, February 2008. There were four recommendations to the Chapter 1143.10 Uptown District zoning regulations, modification to Section 1149.05 Vehicle Management Non-Residential Regulations and 1159.07(8) Definition of Floor Area Ratio.

The Commission voted 7-0 to recommend approval with modifications to City Council.

PC-15-2008 ***PRELIMINARY SUBDIVISION,*** *Hester Road, Habitat for Humanity, proposed residential subdivision R1B (Single-Family Medium Density Residential) 6.25 acres, 20 lots,* ***Scott Webb, Applicant, Agent***

Staff presented that the Applicant was seeking Preliminary Subdivision approval to divide approximately 6.25 acres of land into 20 single-family residential lots in a R1-B (Medium Density Single Family Residential) District.

The public hearing was opened and remains open due to a number of residents stating they did not receive notice in the mail and that the public hearing sign was not posted on the property. Planning Commission agreed to take public comment from those present and keep it open so that notification could be resent. The Commission also offered the following comments for the Applicant to consider and to address at the September 9, 2008 meeting:

1. Having two separate cul-de-sacs and potentially connectivity of the cul-de-sac's (ingress/egress).
2. Discrepancy in sidewalks.
3. Discrepancy in Engineering report vs. Applicant's presentation.
4. Traffic calming, if applicable.
5. Storm water run-off/controls.
6. Utility connections.
7. Open space/common space for residents.
8. Environmental assessment of dump site/abandoned vehicles.

PC-16-2008 ***CONDITIONAL USE,*** *300 S. Locust Street (Kroger's), to allow for a pharmacy drive-thru and gas station,* ***Jonathan Wocher, AICP, Applicant, Agent***

The Applicant tabled the application for more time to address items listed in the staff report and variance requests. The application is expected to be on the September 9, 2008 agenda.

PC-17-2008 ***COMPREHENSIVE PLAN UPDATE,*** *20-year visionary document including goals, principles, objectives strategies and a conceptual land use map, for adoption consideration,* ***City of Oxford, Applicant.***

Staff provided an overview of the work completed over the past year by the Steering Committee and the amount of public outreach conducted. Staff also provided an overview of the format of the Plan as well as common themes throughout the Update process that are reflected in the language of the document.

Commissioners asked about implementation and the need to have a work session to comprehend the entire document and ask for clarifications. A work session will be held August 27, 2008 at 6:00p.m. at the Senior Center to discuss the Comprehensive Plan Update document.

The next regular Planning Commission meeting is September 9, 2008.

Approved By:		**Initial Date**
	Department Head:	AHC 8/19/08
	City Attorney:	
	City Manager:	8/29/08

A regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, August 19, 2008 at 7:30 p.m. Those members present were Ken Bogard, Doug Ross, Alysia Fischer, Richard Keebler, Kate Currie, and Greig Rutherford.

Staff members present: Mr. Doug Elliott, City Manager, Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Alan Kyger, Economic Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

PLEDGE OF ALLEGIENCE

Mayor Dana requested the Pledge of Allegiance.

Mayor Dana recognized Senator Gary Cates who was in attendance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION
TALAWANDA SCHOOL DISTRICT

Mr. Darrell Smith, President, Talawanda School Board, thanked Senator Cates for being in attendance and invited him to join in the recognition of the Talawanda School District being rated excellent.

Mr. Smith provided a brief overview of the proposed Talawanda bond issue to be placed on the ballot in November. Mr. Smith introduced Mr. Chris Adryan, Board member of the Citizens for Talawanda Kids.

Mr. Chris Adryan, noted the State funding portion for a bond issue would not be available forever and encouraged Council on behalf of the Citizens for Talawanda Kids to consider endorsing the bond issue which would provide for a new High School as well as a new Elementary School.

Ms. Dana advised Council would discuss the issue at the end of the meeting.

PRESENTATION
OXFORD WINE AND
ARTS FESTIVAL

Ms. JoNell Rowan, President, Oxford Chamber of Commerce, noted the Wine and Art Affair was very well received and attended by area residents and out of town visitors. Ms. Rowan advised the Chamber was currently working on the event for June 26th through 27th of 2009.

A video presentation was shown which captured highlights of the June 2008 event.

Ms. Rowan advised the support from the committees and volunteers for the event were outstanding and requested that Council allow the event to take place in the Uptown Parks again next year.

Mayor Dana inquired how many people attended the event and Ms. Rowan advised approximately 1,500 to 2,000.

Mr. Keebler noted he would like staff to prepare legislation for the next meeting to accommodate the event in the Uptown Parks in 2009.

PUBLIC COMMENTS

Mr. Calvin Conrad, Westgate Drive, advised as a result of the approval of the conditional use permit for a gas station on US-27 South, he and a group of other citizens endeavored over the last two weeks to find any citizens who were in favor of a commercial development in this location and much less a gas station. Mr. Conrad advised the citizen group consisting of himself, Margarette Beckwith, Elizabeth Rogers, Marlene Hoffman, and Hardy Eshbaugh would like a member of Council who voted in favor of the Ordinance to consider making a motion to reconsider the decision tonight or at the September 2, 2008 meeting withdrawing the Ordinance in its present form. Mr. Conrad noted the group felt Council was not in touch with their constituency and wanted Council's assistance in putting the issue on the ballot. Mr. Conrad noted the group was going to file an initiative relative to the matter.

Diana Durr, Oxford Visitors and Convention Bureau, advised she had a report regarding the designation of US-27 as a Historic Highway as Council requested and would leave it with the Clerk to distribute to Council members.

CONSENT AGENDA

Mr. Ross requested removal of item D. Resolution. Mr. Rutherford requested removal of item E. Resolution.

MINUTES

Minutes of the August 5, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

Minutes of the August 11, 2008 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)

REPORTS

Report regarding the August 6, Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

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

RESOLUTIONS

**RESOLUTION
ESTABLISHING AN
AD-HOC COMMITTEE**

A Resolution No. 4373 establishing an Ad-Hoc Committee of City, Community, and Miami University representatives to discuss the location and presence of new and/or expanded fraternity houses in Oxford. (Doug Elliott, City Manager)

Mayor Dana provided the background information as to how this Resolution came to be before Council.

Mr. Ross asked those in the audience if anyone was in favor of another fraternity house in Oxford and noted one person in the audience raised their hand.

Ms. Fischer referred to page 27 of the agenda and noted concern with the language in the proposed Resolution and suggested amending the title to read 'possible locations' rather than 'the location'. Mr. Keebler suggested alternate language to include zoning, parking and various other components. Mr. Rutherford noted concern with the proposed Resolution and the proposed amendment. Ms. Dana and Ms. Fischer addressed those concerns. Mr. Rutherford noted his feeling the real issue was that the zoning code was poorly written.

Ms. Fischer moved to amend the title of the proposed Resolution as follows: ' A Resolution establishing an Ad-Hoc Committee of City, Community and Miami University representatives to study the feasibility of new and/or expanded fraternity houses in Oxford.' and to mirror the language in section 1 and section 2 of the proposed Resolution. Ms. Currie seconded. The motion passed 7-0-0.

Mr. Ross noted concern with staff spending time on this endeavor when he did not think it was what the community wanted and Mayor Dana noted the staff member would be an advisor.

Mr. Bogard noted this was a fairness issue in working with the University and fraternities.

Mr. Bogard moved to adopt Resolution No. 4373 as amended. Mr. Keebler seconded. The Resolution was adopted by the following roll call:

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

NAY: Mr. Ross, Mr. Rutherford (2)

ABS: None (0)

RESOLUTION
OXFORD AREA
TRAILS PROJECT

A Resolution No. 4374 approving the City of Oxford's assistance in the development of the Oxford Area Trails project. (Gail Brahier, Parks and Recreation Director)

Mayor Dana provided the background information as to how the proposed Resolution came to be before Council.

Ms. Brahier noted this was a formalization of the City's agreement with the Oxford Area Trails committee noting the City had been working on the Oxford Area Trails project as the opportunities arose. Ms. Brahier noted the Community Development and Service Departments were also involved in assisting with the project.

Mr. Rutherford referred to section 4 of the proposed Resolution on page 29 of the agenda and inquired if land acquisition included land outside of the City limits and Ms. Brahier addressed the issue with regard to annexation agreements and easements. Mr. Rutherford inquired if other jurisdictions assisted with the project.

Mr. Rutherford moved to amend the proposed Resolution in section 1 to read: 'Council recognizes the benefits of the Oxford Area Trails project, referred to as OATS, in providing for recreation and a safe alternative mode of transportation for citizens of all ages.' and section 4 to read: 'Council hereby authorizes City Staff to be the lead resource in seeking grants and land acquisition to develop the OATS trail within the City of Oxford and to cooperate with other agencies and jurisdictions outside the City who are participating in the OATS project.' Mr. Keebler seconded. The motion passed 7-0-0.

Mr. Keebler moved to adopt the Resolution as amended. Ms. Fischer seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
AGREEMENT WITH THE
IES AT MIAMI UNIVERSITY

A Resolution No. 4375 authorizing the City Manager to enter into an agreement with Miami University's Institute of Environmental Sciences (IES) to perform an energy audit of the City of Oxford. (Doug Elliott, City Manager)

Mr. Elliott advised legislation to contract for an audit of energy use by City facilities and operations was requested at the August 5, 2008 Council meeting. Mr. Elliott noted staff had discussed the concept with the leadership of Miami University's Institute of Environmental Sciences who were very interested in assisting the City with this endeavor.

Mr. Rutherford advised he was interested in seeing the City reduce energy costs and noted this was a tool to be better stewards of the planet. Mr. Rutherford advised Oxford could be an example for other communities by being responsible for its actions.

Mr. Rutherford moved to amend the proposed Resolution in Section 1 to read: 'To protect the natural environment Council recognizes the necessity to take steps to reduce energy consumption.' Section 2: 'Council hereby accepts the recommendation of the City Manager that the City of Oxford contract with the Institute of Environmental Sciences (IES) at Miami University to perform a comprehensive Energy Audit of the City of Oxford, including City facilities and operations.' and Section 3 to read: 'Council hereby authorizes an Energy Audit be performed by the Institute of Environmental Sciences (IES) to evaluate the City of Oxford's energy consumption and to provide suggestions to the City on possible improvements the City of Oxford can make toward reducing energy consumption, improving energy efficiencies and the goal of protecting the natural environment'. Ms. Fischer suggested removing the word 'natural' from Section 1 and Section 3 and Mr. Rutherford made a friendly amendment to remove the word 'natural' in Section 1 and Section 3. Mr. Keebler seconded. The motion passed 6-0-0.

Mr. Orie Loucks, 6195 Fairfield Road, thanked Mr. Rutherford for introducing the proposed legislation and noted his hope Council would move forward with approving the Mayor's Agreement on protecting the climate. Mr. Loucks noted he hoped Council recognized the scope of change in local and national values with respect to the environment. Mr. Loucks advised all of the principles involved in connection with global warming were covered in the textbook 'Time Change Policy' in which he wrote the chapter concerning business capitalizing on energy transition opportunities.

Mr. Loucks recommended the book to Council and provided them with a copy of his chapter. Mr. Loucks also noted he was speaking tonight on behalf of the Interfaith Climate Change Work Group who had approximately 400 signatures on a petition urging the City to sign the U.S. Mayor's Climate Protection Agreement and make a commitment to conduct a city-wide energy audit and develop an Energy Action Plan.

Ms. Lynn Hetric, 4080 Shollenbarger Road, suggested if Council was going to omit ''curb global warming' from the proposed Resolution, the phrase 'counter the devastating effects of climatic change' would be less political.

Mr. Rutherford addressed Ms. Hetric's comment.

Ms. Fischer inquired what the cost of the Energy Audit was and Mr. Elliott advised it was nominal for Miami's out of pocket expenses.

Mr. Bogard inquired if IES had done an energy audit and Mr. Boardman from the university advised no.

Mr. Keebler called the question.

Mr. Loucks advised others in the audience wanted to speak to the issue and Ms. Dana noted the Mayor's Agreement was not on the agenda and perhaps people in the audience could speak to it at the end of the meeting.

Ms. Fischer moved to adopt Resolution No. 4375 as amended. Ms. Currie seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
RE-ROUTING US-27

A Resolution No. 4376 authorizing the City of Oxford to proceed with the study of the re-routing of US-27 within the City of Oxford. (Doug Elliott, City Manager)

Mr. Elliott noted Council had a Work Session last week to discuss federal earmarks and transportation options and the next 3 Resolutions were prepared as a result of that discussion. Mr. Elliott noted another Joint Work Session would be scheduled with the townships, Miami University, ODOT and others to continue working on the project and report back to the Butler County Planning Commission.

Ms. Currie noted she supported the Resolution and felt re-routing 27 was where Council should focus their energies.

Mr. Rutherford advised the re-routing of State Route 73 should be included in the proposed Resolution as well.

Mr. Rutherford read the Resolution in its entirety as he would like it to be amended.

Ms. Fischer suggested adding ‘or initiate a new project is necessary’ to the end of Section 3 of the proposed Resolution. Mr. Bogard, Mr. Rutherford, Mayor Dana and Mr. Elliott addressed Ms. Fischer’s suggestion noting it would be more appropriate to amend a current project than to initiate a new project.

Ms. Jan Taylor, 5504 Brown Road, inquired if Council would only vote on this Resolution and not Resolution C. and D. until the traffic impact study was done.

Ms. Dana and Mr. Rutherford addressed Ms. Taylor’s question and the process which needed to be followed.

Mr. Rutherford moved to amend the title of the proposed Resolution to read: ‘A Resolution authorizing the City of Oxford to proceed with the study of the re-routing of US-27 and State Route 73 within the City of Oxford’. and Section 2 to read ‘After reviewing current Northwest Butler County Transportation Study funded projects, and receiving input from citizens, the Oxford City Council feels it is in the best interest of the community, for improved pedestrian safety and improved traffic flow, to explore and study the re-routing of US-27 and State Route 73 within the City.’ and Section 3 to read: ‘As an identified “Recommended Project” in the Northwest Butler County Transportation Study, the Oxford City Council is directing staff to contact OKI and ODOT to integrate the US-27 and State Route 73 re-route into the currently funded NBTS projects.’ and add Section 4 to read: ‘In further consideration of the possible re-routing of US-27 and State Route 73 within the City of Oxford and in further consideration of the possible US-27 to State Route 73 connector, Oxford City Council is directing staff to contact OKI and ODOT to request that a comprehensive traffic impact/safety/improvement study be conducted.’ and Section 5 to read: ‘This Resolution shall take effect at the earliest date allowed by law.’ Mr. Keebler seconded.

Ms. Fischer suggested removing the words ‘explore and’ in the proposed Section 2. Ms. Fischer noted Section 4 seemed to further tie the re-routing concept to the connector project. Ms. Currie noted the proposed Section 4 seemed redundant and caused angst.

Mr. Rutherford further moved to remove section 4 and renumber Section 5 to Section 4. Mr. Keebler seconded. The motion passed 7-0-0.

Ms. Fischer noted her feeling the language in Section 3 was unclear as it sounded like it was attached to another project.

Ms. Fischer moved to amend section 3 after the word ODOT to read: 'to add the US-27 and State Route 73 re-route into the currently funded list of NBTS projects.' Ms. Currie seconded. The motion passed 7-0-0.

Ms. Currie moved to adopt Resolution No. 4376 as amended. Mr. Bogard seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
AMENDING THE ODOT
STUDY AREA

A Resolution No. 4377 requesting the Ohio Department of Transportation to amend the study area for the US-27 to State Route 73 connector road as approved in the Northwest Butler County Transportation Study. (Doug Elliott, City Manager)

Mr. Rutherford read the Resolution with his proposed amendments.

Mr. Dana Saulnier, 4485 Shollenbarger Road, noted his feeling the proposed Resolution needed to be as specific as possible with regard to the study area. Mr. Saulnier read a letter into the record with regard to the re-routing of US-27 and State Route 73, the proposed 'compressed' connector and citizen opposition to a connector road between US-27 and State Route 73. Mr. Saulnier urged Council not to approve the next Resolution on the agenda.

Ms. Jenny Gelber, 5508 Brown Road, noted she appreciated Council considering alternatives and advised she was concerned this was a choice between one connector and another that kept changing. Ms. Gelber noted the project began as a safety issue and she was not convinced the end goal was safety. Ms. Gelber noted her hope Council would vote the proposed Resolution down.

Ms. Jan Taylor, 5504 Brown Road, noted if the issue regarding the connector was about safety the discussion and solution should be about safety and if the issue regarding the connector was about congestion and trucks the discussion and solution should be about congestion and trucks and if the issue regarding the connector was about event traffic for Miami the discussion and solution should be about event traffic for Miami. Ms. Taylor noted the first two items could be solved by Miami by installing over-pass pedestrian sidewalks and the third item could be solved by Miami and Oxford with event traffic control. Ms. Taylor referred to pages 34-38 of the agenda and encouraged Council not to support proposed Resolutions C. and D.

Mr. Scott Webb, advised he was speaking on behalf of the Oxford Chamber of Commerce. Mr. Webb noted the Chamber did not endorse a particular plan but they did encourage the process. Mr. Webb noted the Chamber was aware the traffic studies were regional endeavors and looked at by many professionals. Mr. Webb advised the project had been underway in excess of 5 years and had been endorsed by Council in years past and safety was the goal. Mr. Webb encouraged the City to partner with the county and other agencies and to consider long range planning in the region.

Ms. JoAnn Martin, 4 Iveswood Drive, Member of the Board of Directors for the Springwood Home Owners Association, noted what may have sounded reasonable and sensible in Washington DC did not make sense to those who drove in Butler County. Ms. Martin noted her feeling OKI was not needed to tell us there were many vehicles and pedestrians at the intersection of 73 and Patterson. Ms. Martin noted we needed a study to tell us how many cars and trucks would be removed from that intersection if there was a connector road. Ms. Martin discussed her concerns with the process so far and encouraged Council to demand a fair and legitimate process and show evidence that any new roads would solve traffic and safety problems.

Mr. Larry Frimerman, 292 Ryan Drive, Oxford Township Trustee, applauded Council for carefully examining these issues again. Mr. Frimerman noted the township trustees in their thoroughfare plan took the position of opposing the US-27 to State Route 73 connector as it had been proposed. Mr. Frimerman noted the Trustees as a group had not reviewed the proposal Council was considering tonight since they had a public meeting that coincided with Council's Work Session last week. Mr. Frimerman noted the trustees were concerned with the ethics of adopting of a new proposal. Mr. Frimerman noted earmarked funds should not be a vehicle to minimize public examination of a new proposed route. Mr. Frimerman noted the City and Township needed to reach accord with respect to the County's Transportation Study and noted his feeling that could be accomplished whether a connector was approved in Columbus or Washington DC.

Mr. Rutherford addressed the comments from the audience and further explained in detail the proposed re-routing of US-27 and State Route 73 and the concept of the 'compressed connector'.

Mr. Keebler advised he appreciated Mr. Rutherford's efforts. Mr. Keebler noted concern with Sections 4, 8 and 9 of the proposed Resolution noting his feeling those sections could be deleted.

Ms. Fischer noted Council had not voted on anything regarding the connector since January of 2006 which was a Resolution authorizing ODOT to administer the design and construction of a connector road between US-27 and State Route 73. Ms. Fischer read her comments from the minutes of that meeting which reflected her concern with the public staying involved, apprised and being able to have the opportunity to weigh in on the project. Ms. Fischer expressed her frustration with the process.

Ms. Fischer noted Mr. Smith of ODOT conveyed to her that this was not about trucks but rather about the intersection of Spring Street, 27 and 73 and noted her feeling a connector was a huge response to a local problem. Ms. Fischer noted she could support the re-routing initiative but not a connector road no matter how it was amended.

Ms. Currie noted she agreed with Ms. Fischer's comments. Ms. Currie noted this was a difficult intersection and to build a road just to get around the intersection seemed like killing an ant with a hammer.

Mr. Ross noted he had a difficult time voting for something that did not eliminate the possibility of the wide sweep connector.

Mr. Bogard advised safety was the goal which was why representatives went to Washington to seek the funding. Mr. Bogard provided background on the Northwest Butler County Transportation Study. Mr. Bogard advised Milford Township received the benefit of improvements to the intersections of 127 and 73, and 177 and 73 as a result of the federal earmark. Mr. Bogard noted the 20 million dollar earmark was intended to improve intersections, traffic flow and congestion caused by our own traffic. Mr. Bogard advised his feeling this Council needed to take the responsibility to deal with transportation.

Mr. Rutherford noted his feeling the proposed Resolution could be written so that the wide sweep connector would not be possible and a compressed connector could only be built if it was substantiated and justified. Mr. Rutherford inquired if the proposed Resolution should be tabled until a joint Work Session with the township and others could occur.

Ms. Dana advised it was up to Council to review this proposal and go forward with a vote as Council had previously discussed, and take that vote to a joint meeting and then to the Butler County Planning Commission.. Ms. Dana encouraged Council to make any amendments to the proposed Resolution at this time.

<u>Mr. Rutherford moved to strike the word' feels' and insert the word 'believes' and to strike the word 'best' in Section 3. Mr. Keebler seconded. The motion passed 6-1-0 with Ms. Fischer voting nay.</u>

<u>Mr. Rutherford moved to add a new Section 4 to the proposed Resolution to read as follows: 'In consideration of the possible re-routing of US-27 within the City of Oxford, City Council does believe that any proposed US-27 to State Route 73 connector road should move inward and shall join to US-27 at the intersection of Patterson Road and Chestnut Streets.' Mr. Ross suggested a friendly amendment to include the word 'shall' twice instead of once. Mr. Bogard seconded.</u>

Mr. Keebler noted he could not support the proposed amendment but could support the following language: 'In consideration of the possible re-routing of US-27 within the City of Oxford City Council does believe that any proposed US-27 to State Route 73 connector road should move inward towards the City.' noting the traffic engineers should decide where the roads joined. Mr. Rutherford noted he spoke to the County Engineer and County Planner today and they indicated joining the roads at Patterson and Chestnut Street was the only place that made sense.

The proposed amendment failed by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Ms. Dana (3)

NAY: Ms. Fischer, Mr. Keebler, Mr. Bogard, Ms. Currie (4)

ABS: None (0)

Mr. Keebler moved to amend Section 4 to read as follows: 'In consideration of the possible re-routing of US-27 within the City of Oxford City Council does believe that any proposed US-27 to State Route 73 connector road should move inward towards the City.' Mr. Ross seconded. The motion passed by the following roll call:

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

NAY: Ms. Fischer, Mr. Ross, Mr. Rutherford (3)

ABS: None (0)

Mr. Rutherford moved to amend Section 5 to read as follows: 'Oxford City Council believes the citizens of the Oxford area will be better served by adjusting the study area. Said study area shall include the current study area and additional land areas immediately adjacent to Four Mile Creek and Collins Run Creek. This study area shall include City of Oxford land, Miami University land and private lands as deemed necessary for a proper and complete study of the proposed project. Mr. Bogard seconded. The motion passed by the following roll call:

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

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

ABS: None (0)

Mr. Rutherford moved to amend Section 6 to read as follows: 'A graphic approximation of the requested expanded Study Area is shown in Exhibit A. Mr. Bogard seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

Mr. Rutherford moved to renumber previous Section 6 to Section 7 and to correct the spelling of 'hereby'. Mr. Bogard seconded. The motion passed 7-0-0.

Mr. Rutherford moved to add new Section 8 to read as follows: 'In further consideration of the possible re-routing of US-27 and State Route 73 within the City of Oxford and in consideration of the possible US-27 to State Route 73 connector, Oxford City Council is directing staff to contact OKI and ODOT to request a comprehensive traffic impact/safety/improvement study be conducted.' Mr. Ross seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

Mr. Rutherford moved to add new Section 9 to read as follows: 'The US-27 to State Route 73 connector shall only be considered for construction if the required traffic impact/safety/improvement study indicates that identified safety concerns will not be resolved through the combined re-routing of US-27 and State Route 73 through Oxford. Mr. Ross seconded. Mr. Keebler suggested substituting the word 'mitigated' for the word 'resolved'. Mr. Rutherford and Mr. Ross accepted the friendly amendment. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

Mr. Rutherford moved to renumber former Section 7 to section 10. Mr. Bogard seconded. The motion passed 7-0-0.

Mr. Rutherford expressed concern with Section 4 not specifying where possible roads would join and noted the only place it made sense to join a possible connector road would be at or near the intersection of Patterson and Chestnut.

After discussion Mr. Rutherford suggested the following amendment to Section 4 as follows:

'In consideration of the proposed re-routing of US-27 within the City of Oxford, City Council does believe that any proposed US-27 to State Route 73 connector shall move inward and shall join to US-27 at the intersection of Patterson Road and Chestnut Streets.'

Mr. Keebler noted three deviations from the former amendment which failed and Mr. Rutherford re-read the amendment as follows:

'In consideration of the possible re-routing of US-27 within the City of Oxford, City Council does believe that any proposed US-27 to State Route 73 connector road should move inward and shall join to US-27 at the intersection of Patterson Road and Chestnut Streets.'

Discussion took place regarding the use of the words 'shall' and 'should' and the proposed amendment failed due to the lack of a second.

Mr. Rutherford moved to amend Section 4 to read as follows: 'In consideration of the possible re-routing of US-27 within the City of Oxford, City Council does believe that any proposed US-27 to State Route 73 connector road shall move inward and shall join to US-27 at the intersection of Patterson Road and Chestnut Streets.' Mr. Ross seconded.

Ms. Fischer noted there would be many roadblocks in this process and noted her feeling if a connector were to be built it would take another decade.

Mr. Keebler advised he could vote in favor of the amendment if it read 'should' and 'should' instead of 'shall' and 'shall' since Council members were not engineers.

The proposed amendment failed by the following roll call:

AYE: Ms. Fischer, Mr. Ross, Ms. Dana (3)

NAY: Mr. Bogard, Ms. Currie, Mr. Keebler, Mr. Rutherford (4)

ABS: None (0)

Mr. Keebler moved to amend Section 4 to read as follows: 'In consideration of the possible re-routing of US-27 within the City of Oxford, City Council does believe that any proposed US-27 to State Route 73 connector road should move inward and should join to US-27 at the intersection of Patterson Road and Chestnut Streets.' Mr. Rutherford suggested the phrase 'shall move inward and should join to US-27' Mr. Keebler accepted the friendly amendment. The motion passed by the following roll call:

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

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

ABS: None (0)

Mr. Rutherford called the question.

Mr. Bogard moved to adopt Resolution No. 4377 as amended. Mr. Rutherford seconded. The Resolution was adopted by the following roll call:

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

NAY: Mr. Ross, Ms. Currie, Ms. Fischer (3)

ABS: None (0)

Ms. Fischer moved to take a five minute recess at 10:35 p.m. Mr. Bogard seconded. The motion passed 7-0-0.

Mr.Bogard moved to reconvene at 10:42 p.m. Ms. Fischer seconded. The motion passed 7-0-0.

**RESOLUTION
AMENDING THE OXFORD
THOROUGHFARE PLAN**

A Resolution of support to amend the Oxford Thoroughfare Plan for inclusion of the Northwest Butler County Transportation Study's recommendation of a connector road between US-27 and State Route 73. (Doug Elliott, City Manager)

Mr. Rutherford moved to amend Section 3 on page 38 of the agenda to read as follows: 'Council continues to support the possible need of a connector road to improve traffic flow and vehicle and pedestrian safety' Mr. Bogard seconded.

Ms. Kathy Butterfield, 5250 Oxford Milford Road, encouraged Council to table the proposed Resolution and stated she felt it was premature to include this project in the City of Oxford's Thoroughfare Plan.

Ms. Jenny Gelber, 5508 Brown Road, encouraged Council if they amended the Thoroughfare Plan to also remove alternative 5B which connected US-27 North to Brown Road. Ms. Gelber noted this alternative was not included in the transportation chapter Oxford Township Land Use Plan. Ms. Gelber noted she did not see the urgency of amending the Thoroughfare Plan and encouraged Council to vote no or table the proposed Resolution. Ms. Gelber also discussed an easement granted by the City to Miami University and provided Council with copies of the easement documents.

<u>Mr. Rutherford moved to extend the meeting until 11:30 p.m. Ms. Fischer seconded. The motion passed 7-0-0.</u>

<u>Mr. Dana Saulnier</u>, 4485 Shollenbarger Road, noted his feeling this was an affirmation of the connector road and encouraged Council to vote no on the proposed Resolution.

<u>Larry Frimerman</u>, 292 Ryan Drive, Oxford Township Trustee, inquired how Council was going to be able to position themselves as waiting to examine very carefully well after the study was done determining whether or not the road was needed and include it on the Thoroughfare Plan map and insist it be included on the county's map.

Mr. Ross inquired if it would be harmful to table the proposed Resolution to a time definite date and Mr. Elliott advised he needed to understand Council's position on the connector. Mr. Elliott noted he had some direction now based on Council's approval of the two previous Resolutions. Mr. Ross inquired if the County Engineer needed direction on the matter and Mr. Bogard advised the County wanted to include all Thoroughfare Plans in the entire county on their map for future planning.

Mr. Rutherford noted his feeling in light of the prior Resolutions this one was oxy-moronic and should be addressed at the next meeting.

Ms. Fischer noted the Thoroughfare Plan originally went through the Planning Commission and inquired if an amendment to it needed to go through the Planning Commission before Council and Mr. McHugh advised it could be handled either way.

Mr. Bogard noted his feeling the Resolution should come back in two weeks giving staff an opportunity to discuss the matter with the county engineer to validate the inclusion of this connector in the Oxford Thoroughfare Plan as it related to the Butler County Thoroughfare Plan.

<u>Mr. Keebler moved to table the proposed Resolution. Mr. Rutherford seconded. The motion passed by the following roll call:</u>

AYE: Mr. Rutherford, Mr. Bogard, Mr. Keebler, Mr. Ross (4)

NAY: Ms. Currie, Ms. Fischer, Ms. Dana (3)

ABS: None (0)

<u>ORDINANCES</u>
<u>FIRST READING</u>

An Ordinance Amending Ordinance No. 2990. Supplemental Budget Ordinance No. 2 To Make Supplemental Appropriations For Fiscal Year 2008. (Joe Newlin, Finance Director)

Mr. Newlin addressed the items in the proposed Supplemental Budget Ordinance as listed on page 39 of the agenda noting the $15,000 adjustment was for moving expenses for the Oxford Visitors and Convention Bureau.

Ms. Diana Durr, Oxford Visitors and Convention Bureau, advised she provided Council with additional information regarding convention and hotel tax dating back to 2001. Ms. Durr noted the increases in hotel tax had been very good and she did not anticipate that changing.

Ms. Fischer noted she had questions for Ms. Durr which Ms. Durr had already addressed. Ms. Fischer shared that conversation with Council.

ORDINANCES
SECOND READING

None.

ANNOUNCEMENTS

Mayor Dana inquired if Council wished to have legislation on the next agenda regarding the Talawanda Bond Issue.

Ms. Currie moved to request that staff bring legislation forward at the next meeting in support of the Talawanda Bond Issue. Ms. Fischer seconded. The motion passed 7-0-0.

Mr. Keebler requested legislation for the next meeting to authorize the use of the Uptown Parks for the Wine Tasting event. Mr. Keebler inquired if a motion and vote was needed for a Council member to request legislation and Mayor Dana advised no.

Mayor Dana advised a request was made this evening for a Council member to make a motion to reconsider the Ordinance passed at the last meeting regarding a Conditional Use Permit. Mr. McHugh advised motions to reconsider must be made at the next business meeting which was tonight.

Mr. Elliott advised he attended a meeting with members of the Police Department, Fire Chief, Ohio Department of Liquor Control and liquor permit holders in town to discuss the upcoming school year.

Mr. Elliott reminded Council the CIP Work Session was scheduled for August 26, 2008 and discussed a meeting he and Mr. Dreisbach attended with Glenwood Energy.

Mr. Rutherford thanked all of those who participated in the Farmers Market and encouraged everyone to attend.

Ms. Fischer noted it was move in time of year and suggested NIC may need some oversight.

Ms. Fischer noted many street trees had been damaged or destroyed in the City and required if they would be replaced.

Mayor Dana noted she and Mr. Elliott met with Barbara Jones, the new Vice President of Student Affairs at Miami.

Mayor Dana reminded everyone that the annual Pig Roast was Thursday.

Mr. Elliott advised he would provide Ms. Fischer an update on tree replacement.

ADJOURN

Mr. Rutherford moved to adjourn at 11:31 p.m. Ms. Fischer seconded. The motion passed 7-0-0.

A work session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, August 19, 2008 at 6 P.M. Those Council members present were, Alysia Fischer, Kate Currie, Richard Keebler, Greig Rutherford and Ken Bogard. Doug Ross arrived at 6:03 p.m.

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

APPROVAL OF AGENDA

Mr. Keebler moved approval of the Agenda. Mr. Bogard seconded. The motion carried 6-0-0.

PURPOSE

The purpose of the Work Session was for Council to narrow the site options for Police and Courthouse facilities.

Mr. Elliott provided several hand-outs which he discussed with Council with regard to the background of this project, current facts, current assumptions and funds available for site selection and site development.

Council discussed the various sites which included the former Odd Lots, Morning Sun Road, the former Miami Valley Lumber, the Tri property, the former WalMart, Southpoionte Crossing and University Parkway and removed the Morning Sun Road locations from the list of proposed sites.

The possibility of converting to a Municipal Court was also discussed.

Mr. Rutherford noted another site to consider was the corner of Beech and Church streets. Council also discussed the possibility of looking at property on US-27 North.

Mayor Dana noted the importance of making this decision so the project could move forward and reminded Council to consider the Comprehensive Plan when making their selection for the Police and Courthouse facilities. Mayor Dana advised another Work Session would be needed.

ADJOURNMENT

Ms. Fischer moved to adjourn at 7:08 p.m. Mr. Rutherford seconded. The motion carried 7-0-0.