CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: N/A

John A. Jones
Prepared By

Budgeted Amount: N/A

August 26, 2016
Date Prepared

Agenda Title: **Resolution to sell junk/abandoned motor vehicles to the highest bidder.**

Recommendation: Adopt the resolution

Discussion: Pursuant to Oxford City Code and in accordance with ORC 4513.62, the Division of Police requests that City Council approves the sale of salvage/junk/abandoned motor vehicles described in the attached Exhibit A to the highest bidder and that the proceeds from such sale be placed in the General Fund.

Approved By:

	Initial	Date
Department Head:		8/26/16
City Attorney:		
City Manager:		8/31/16

Exhibit A

The following vehicles are currently stored at the OPD impound lot and are unclaimed by the owner after due notice. OPD has obtained salvage titles for the below vehicles and we are requesting they be sold to a salvage dealer.

2006 Ford Escape
VIN: 1FMYU02Z36KB48302

2000 Jeep Grand Cherokee
VIN: 1J4GW58N7YC206379

Exhibit A

1998 Dodge Durango
VIN: 1B4HS28Y3WF196991

1995 Dodge Ram
VIN: 1B7HC16Y9SS325265

Exhibit A

1994 Honda Accord
VIN: 1HGCD5631RA037776

2005 Chevy Cobalt
VIN: 1G1AL52F257503594

Exhibit A

1989 Ford Mustang
VIN: 1FABP41E0KF254562

1996 Dodge Dakota
VIN: 1B7FL26P3TS658843

Exhibit A

1983 Ford tree trimming bucket truck
VIN: 1FDNF70H1CVA47124

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE SALE OF SALVAGED, JUNK AND/OR ABANDONED MOTOR VEHICLES.

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

SECTION 1: The Police Chief recommends that unclaimed motor vehicles ordered into storage pursuant to Section 4513.62 of the Ohio Revised Code be sold to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The motor vehicles to be sold are listed in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2: City Council hereby accepts the recommendation of the Police Chief and authorizes the sale of the salvaged, junk and/or abandoned motor vehicles listed in Exhibit "A" to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price.

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

_____
MAYOR

ADOPTED:

ATTEST

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: September 06, 2016

Account Code No. #: N/A

Budgeted Amount: N/A

John Detherage
Prepared By

08-24-2016
Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into a contract with Miami University to provide EMS service at scheduled events.

Recommendation: Adopt the Resolution.

Discussion: For the last few years the Fire Division has been providing manpower to Miami to provide EMS coverage at events and Miami has paid the staff working the events. This year Miami requested to contract with the City to provide this service directly, with the Fire Division employees no longer working as contractors for Miami. This contract provides the framework for the Fire Division to provide this service, including the scheduling and payment procedures.

Approved By:

	Initial	Date
Department Head:		8-31-16
City Manager:		8-31-16

RESOLUTION NO.

A RESOLUTION APPROVING AND AUTHORIZING AN AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A", BETWEEN THE CITY OF OXFORD AND MIAMI UNIVERSITY FOR AMBULANCE AND FIRST AID SERVICES DURING SPECIFIED EVENTS ON MIAMI UNIVERSITY'S CAMPUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

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

SECTION 1: The City Council of the City of Oxford has reviewed the agreement attached hereto and incorporated herein as Exhibit "A", and find the same to be acceptable and in the best interest of the citizens and visitors of the City of Oxford, Ohio and all those for whom ambulance and first aid services are provided.

SECTION 2: City Council hereby approves the compensation to the City of Oxford as set forth in the agreement attached hereto and incorporated herein as Exhibit "A" for providing ambulance and first aid services during specified events on Miami University's campus.

SECTION 3: City Council hereby authorizes the City Manager to enter into the agreement attached hereto and incorporated herein as Exhibit "A" with Miami University for ambulance and first aid services as set forth in the agreement.

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

_____
MAYOR

ADOPTED:

ATTEST:

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

EXHIBIT 'A'

AMBULANCE AND FIRST AID SERVICES AGREEMENT

This Ambulance and First Aid Services Agreement (this "Agreement"), effective as of August 8, 2016, is made by and between the City of Oxford, an Ohio municipal corporation existing under the laws of the State of Ohio (the "City"), and the President and Trustees of Miami University, a body politic and corporate established and existing under the laws of the State of Ohio ("Miami").

WHEREAS, the City desires to provide Miami emergency medical services at each of Miami's home football games, hockey games, basketball games, and during certain special events (each an "Event" and collectively, the "Events") pursuant to the terms and conditions contained in this Agreement; and

WHEREAS, Miami desires to engage the City to provide such services at the Events pursuant to the terms and conditions contained in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, and subject to the terms and the conditions hereinafter stated, the parties agree as follows:

1. Definitions. For the purpose of this Agreement, the following terms shall have the following meanings:

a. "Ambulance" means a properly maintained and licensed advanced life support ambulance equipped by the City and staffed with City Personnel for the purpose of providing the Services pursuant to this Agreement.

b. "City Personnel" means all EMT-Ps and EMTs performing Services at an Event.

c. "EMT" means an individual who has earned, and who currently possesses, an Emergency Medical Technician – Basic, Emergency Medical Technician – Intermediate, or Emergency Medical Technician – Advanced certification from the Ohio Department of Public Safety.

d. "EMT-P" means an individual who has earned, and who currently possesses, an Emergency Medical Technician – Paramedic certification from the Ohio Department of Public Safety.

e. "Medical Aid" means the provision of first-aid and pre-hospital care to Participants and Spectators pursuant to this Agreement.

f. "Medical Transport" means the transportation of a Participant from an Event in an Ambulance pursuant to this Agreement.

g. "Participants" means student athletes, coaches, referees, and other individuals directly involved in an Event.

h. "Services" means both the provision of Medical Aid and Medical Transport at Events during the Term.

i. "Spectators" means all individuals in attendance at an Event other than Participants.

2. Services. The City hereby agrees to provide the Services during the Term pursuant to the terms and conditions contained in this Agreement. In providing the Services, the City shall cause the following equipment and personnel to be made available to Miami during the Term (as defined below):

a. At all home football games and hockey games during the Term, the City shall provide: (i) one (1) Ambulance staffed with at least one (1) EMT-P and one (1) EMT to provide Medical Aid and Medical Transport for Participants; and (ii) four (4) additional EMT's to staff first-aid stations and provide Medical Aid to Spectators.

b. At all home football games during the Term, the City shall provide a first-aid trailer ("Additional Equipment") to be used as a first-aid station for Spectators.

c. At all home basketball games during the Term, the City shall provide two City Personnel dedicated to providing Medical Aid to Participants and Spectators. An Ambulance will not attend any home basketball games during the Term, and no Medical Transport will be offered to Participants or Spectators.

d. The parties will work together in good faith to determine how the Services will be provided at university events or special events held at Miami's Oxford campus during the Term, including, but not limited to, the Winter Guard International, the President's inauguration, and commencement (each a "Special Event"). The City agrees to use its best efforts to provide the Services for a Special Event when requested. Miami shall provide the City with not less than thirty (30) days' prior notice of the Special Event indicating the number of City Personnel and Ambulances needed to staff the Special Event and other details necessary to provide the Services at such Special Event.

3. The City's Additional Responsibilities.

a. The City will designate one (1) City Personnel to act as the "Contact Supervisor," who will ensure the timely arrival of all City Personnel, that the Services are provided in an efficient and effective manner, and that all Personnel are fully aware of the venue, and their roles and responsibilities. The City will cause the City Personnel providing Services at an Event to abide by the following arrival and departure schedule:

Event	Arrival Time	Departure Time
Football	2.5 hours prior to kick-off	30 minutes after conclusion of game
Hockey	1.5 hours prior to puck-drop	30 minutes after conclusion of

		game
Basketball	1.5 hours prior to tip-off	30 minutes after conclusion of game
Special Events	TBD in Miami's sole discretion no less than 2 weeks prior to the event	TBD in Miami's sole discretion no less than 2 weeks prior to the event

b. At each Event and Special Event, the City agrees to provide the Services, the Ambulance, the City Personnel, and the Additional Equipment on an exclusive basis; provided that the City may cause the Ambulance and up to two City Personnel to leave an Event or Special Event to respond to a mass casualty incident or similar major event occurring inside the City's service area ("Major Incident"). In the event of a Major Incident, the City shall cause the City Personnel not responding to the Major Incident to remain at the Event or Special Event pursuant to the schedule contained in Section 3(a) of this Agreement.

c. The City agrees to have City personnel participate in Miami training events as City personnel are available.

d. Within ten (10) business days of the conclusion of an Event, the City will deliver to Miami (i) a timesheet indicating the names of the City Personnel working at an Event and the number of hours such City Personnel worked at such Event (the "Timesheet") and (ii) any Report (as defined in **Section 3(e)** below) generated from such Event.

e. In the event City Personnel provide medical care to Participants or Spectators at an Event, the City will create and maintain an incident report prepared by the City Personnel providing such medical care and pursuant to the City's standard operating procedures (each a "Report"). In complying with its obligations contained in **Section 3(d)** of this Agreement, the City may make reasonable redactions to any Report to comply with the Health Insurance Portability and Accountability Act.

4. Miami's Additional Responsibilities.

a. Miami will provide designated areas for private care at all Events, as well as basic medical equipment as needed.

b. Miami will provide a contact person for each Event that City Personnel can communicate with and receive Event-specific instructions along with emergency response radios, if necessary.

5. Term. The term of this Agreement shall commence on August 8, 2016, and shall terminate on June 1, 2017 (the "Term"). The Term may be extended only upon the prior written agreement of the Parties.

6. Covenants of the City. The City hereby covenants that:

a. All City Personnel performing Services under this Agreement (i) will have sufficient expertise, training and experience to accomplish the Services, (ii) will be licensed and

certified pursuant to Ohio law, and will remain in good standing with the State of Ohio and all state and federal health care programs.

b. All Ambulances used to provide the Services will be in good working order and will be properly maintained pursuant to industry standards and Ohio law.

c. All City Personnel will be compensated by the City, taxes withheld, and paid any other benefits made available as required by applicable law or via contract.

d. All City Personnel will comply with all applicable local, state, and federal laws, and all Miami policies and procedures while performing the Services.

7. Billing. When required or permitted by law, the City will bill any Participant or Spectator (or such person's financially responsible party or any available insurance or any third party payment source) for Services provided under this Agreement, including any Medical Transport the City is authorized to bill under Medicare part B and Medicaid and that are covered under the applicable coverage of those programs.

8. Compensation. For Services rendered, Miami agrees to pay the City as follows:

a. Forty-Five Dollars ($45.00) per hour per City Personnel in attendance at an Event;

b. Eight Hundred Dollars ($800.00) per Ambulance at an Event; and

c. One-time payment of One Thousand Dollars (1,000.00) for the use of the Additional Equipment.

9. Payment. With the exception of the fee due for the Additional Equipment, Miami shall make all payments to the City net-45 of the receipt of each properly prepared Timesheet. Miami shall pay the fee associated with the Additional Equipment within thirty (30) days of the conclusion of the football season. No other fees or expenses will be paid to the City, unless such fees or expenses have been approved in advance by an authorized representative of Miami. If applicable, the City shall be solely responsible for any and all taxes, Social Security contributions or payments, disability insurance, unemployment taxes, and other payroll type taxes applicable to such compensation. Any post-season home game or Special Event will be billed pursuant to **Section 8** of this Agreement and paid pursuant to this **Section 9**.

10. Insurance. During the Term of this Agreement, the City shall maintain, at its own expense, policies and comprehensive public liability, medical professional liability, and motor vehicle insurance against all claims for damage or loss of property, and for bodily injury including death, resulting from the City's negligence, or its employees' negligence, with minimum limits of One Million Dollars ($1,000,000.00) per occurrence and Three Million Dollars ($3,000,000.00) in the aggregate per year.

11. Responsibility. Each party agrees to be responsible for its own wrongful or

negligent acts or omissions or those of its officers, agents, or employees arising in any way out of this Agreement to the extent permitted by law.

12. Governing Law. This Agreement shall be governed exclusively by the laws of the State of Ohio, without regard to the conflict of law provisions thereof.

13. Nondiscrimination. Neither the City, nor any agent, officer, employee, representative, or person acting on the City's behalf shall discriminate by reason of race, color, creed, religion, gender, age, disability, national origin, ancestry, sexual orientation or status as a disabled veteran or Vietnam era veteran in connection with or in any way relating to this Agreement.

14. Entire Agreement. This Agreement constitutes the sole and entire agreement between the parties concerning the subject matter thereof, and may not be modified, discharged or amended except in writing, signed by the duly authorized officers of each party. This Agreement supersedes any existing agreement effective at the date of signing this agreement between the parties hereto.

15. Termination.

a. Either party may terminate this Agreement immediately if the other party materially breaches this Agreement and such breach continues for fifteen (15) business days after written notice is provided to such breaching party.

16. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. This Agreement may be executed by facsimile or electronic signature.

17. Waivers. Failure of either party hereto to complain of or to act upon any act or omission on the part of the other party, no matter how long the same may continue, shall not, unless expressly set forth herein to the contrary, be deemed to be a waiver of any of its rights hereunder or waiver by either party, at any time, express or implied, of any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision.

18. Survival. Any provision of this Agreement that contemplates performance or observance subsequent to termination or expiration of this Agreement shall survive termination or expiration of this Agreement and continue in full force and effect.

19. Relationship of the Parties. It is the express intention of the parties that the City is an independent contractor and not an employee, agent, joint venture, or partner of Miami. Nothing in this Agreement shall be interpreted or construed as creating or establishing the relationship of employer and employee between Miami and the City, or between Miami and any employee, agent, or subcontractor of the City. Both parties acknowledge that the City and any employees, agents, or subcontractors of the City are not employees of Miami for any reason including state or federal tax purposes.

[*Signature Page Follows*]

AMBULANCE AND FIRST AID SERVICES AGREEMENT

Signature Page

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date written below.

CITY:

City of Oxford,
an Ohio municipal corporation established and existing
under the laws of the State of Ohio

Signature:_____

Name: Douglas R. Elliott, Jr.

Title: City Manager

Date:_____

Signature:_____

Name: John Detherage

Title: Fire Chief

Date: _____

MIAMI:

The President and Trustees of Miami University,
a body politic and corporate established and existing
under the laws of the State of Ohio

Signature:_____

Name: Jude Killy

Title: Deputy Athletic Director

Date:_____

A work session of the Oxford City Council was called to order by Vice Mayor, Mike Smith on Thursday, August 18, 2016 at 6:00 P.M. Council members present were Bob Blackburn, Steve Dana, Kevin McKeehan and Edna Southard. Mayor Rousmaniere and Glenn Ellerbe were excused.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; John Jones, Police Chief; Joe Newlin, Finance Director; Jung-Han Chen, Community Development Director; Casey Wooddell, Parks and Recreation Director; Alan Kyger, Economic Development Director; Heidi Hill, Assistant Finance Director; Geoff Robinson, Police Lieutenant and John Detherage, Fire Chief.

APPROVAL OF AGENDA

Mr. Dana moved to approve the Agenda. Ms. Southard seconded. The motion carried 5-0-0.

CAPITAL IMPROVEMENT PROJECTS

Mr. Elliott presented the proposed five-year Capital Improvement Plan which included information on the following:

- Funding sources proposed for the 2017 CIP Expenditures
- Detailed list of proposed construction projects
- Detailed list of proposed equipment purchases

The CIP figures will be incorporated into the City Manager's proposed budget for 2017 and will be submitted to Council in October, 2016.

ADJOURNMENT

Mr. Dana moved to adjourn at 7:10 P.M. Mr. Blackburn seconded. The motion carried 5-0-0.

A regular meeting of the Oxford City Council was called to order by Vice Mayor, Mike Smith on Tuesday, August 16, 2016 at 7:30 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan and Edna Southard. Mayor Rousmaniere was excused.

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

PLEDGE OF ALLEGIANCE

Vice Mayor Smith requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION 'OHIO VOLUNTEER CHALLENGE: FEED OHIO 2016'

Vice Mayor Smith read the Proclamation and presented it to Mr. Robert Wicks.

Mr. Robert Wicks, thanked Council for the Proclamation noting it was an honor. Mr. Wicks advised last year over 702,000 meals were provided through the Feed Ohio Campaign and the Community Choice Pantry benefitted as well. Mr. Wicks noted the Church of Jesus Christ of Latter-day Saints and Bethel AME Church would partner again this year in the effort.

PRESENTATION SHAREFEST 2016 MS. CAROL MICHAEL

Ms. Michael noted it was her pleasure to let Council know it had been another good year for ShareFest. Ms. Michael provided a PowerPoint and noted ShareFest was a service and environmental nonprofit corporation dedicated to the collection and redistribution of items donated by Miami University students and the Oxford community at the end of the academic year. Ms. Michael advised collected items benefitted residents in need and social service agencies throughout the region. Ms. Michael stated ShareFest's Purpose as follows: 1. Help individuals in need by providing them with access to furniture, household goods, clothing and food that are donated by Miami University students or by other community members at the end of the academic year. 2. Teach sharing and environmental ethics and an awareness of diverse backgrounds to the young people who are students at Miami University. 3. Protect and preserve the environment by preventing usable items from going into the landfill. 4. Help the City of Oxford dispose of unwanted items and help clean the City quickly.

Ms. Michael listed each Board member, Planning Committee member and each Recipient Group which included Butler County Children Services, Butler County Success, Habitat for Humanity of Greater Cincinnati, Lighthouse Food Pantry, Ohio Goodwill Industries, Oxford Community Choice Pantry, Preble County Habitat for Humanity and the Student Veterans Association at Miami University.

Ms. Michael noted ShareFest was privileged to use Miami University's Chestnut Fields Parking lot for dispatch, donation collection, and swapping. Ms. Michael advised the site was perfect for access to on and off campus locations and it offered abundant parking for volunteers and the storage trailers provided by Ohio Valley Goodwill. Ms. Michael discussed the donation process for off campus locations and on campus locations noting 43 Miami University residence halls participated in ShareFest 2016. Ms. Michael advised at least 37 donors dropped off donations directly to the Chestnut Fields site. Ms. Michael reported on the number of donations and advised there were 269 off campus pickups. Ms. Michael advised dispatchers allocated pickups based on recipient group needs and the number of volunteers and trucks available at a given moment. Ms. Michael noted ShareFest 2016 collected 77 tons of merchandise which was up from 59 tons collected in 2015 or almost 31%.

Ms. Michael advised Butler County Children Services assisted two families almost immediately and assisted two emancipated youth from the foster care program set up their first apartment. Ms. Michael noted Butler County Children Services will help ten more families in the coming months. Ms. Michael advised Butler County Success provided 14 volunteers for a total of 126 hours and ShareFest 2016 benefitted at least 44 of their client families in need throughout Butler County. Ms. Michael noted the proceeds generated from the sale of ShareFest 2016 donations at Habitat for Humanity of Greater Cincinnati ReStores will help two low income families this year in Oxford as well as 25-28 families in the greater Cincinnati area. Ms. Michael advised ShareFest 2016 donations resulted in over $11,000 of revenue for Lighthouse Food Pantry in Hamilton. Ms. Michael noted Lighthouse currently served approximately 1,000 people monthly and the money collected from the sale of ShareFest donations would be used to buy food. Ms. Michael advised Lighthouse provided 25 volunteers collectively working 847 hours to pickup and transport ShareFest 2016 donations. Ms. Michael noted ShareFest 2016 donations resulted in $28,000 in revenue for Ohio Valley Goodwill Industries which will support its mission of putting people with disabilities and veterans to work in the greater Cincinnati community. Ms. Michael advised they provided four employees to staff the dispatch and swapping site throughout the event and three employees and a truck to pickup donations from off campus locations. Ms. Michael noted they also provided storage trailers for other recipient groups. Ms. Michael advised the Oxford Community Choice Pantry received 3,905 pounds of food which was a 50% increase from last year. Ms. Michael noted some items were set aside for Summer Harvest bags. Ms. Michael advised Preble County Habitat for Humanity participated for the first time and received donations resulting in $300.00 of revenue. Ms. Michael noted they provided four volunteers who worked 32 hours over two days and they would be invited back next year. Ms. Michael advised the Student Veterans Association at Miami University participated for the first time and will use ShareFest 2016 donations to furnish the new Veterans Center at the university.

Ms. Michael provided a detailed thank you to all of those who donated and volunteered to make ShareFest 2016 a success.

Ms. Southard thanked Ms. Michael for doing a tremendous job with ShareFest 2016 and noted the cooperation between the City and the university was amazing. Ms. Southard referred to the Proclamation this evening for the feed Ohio campaign and noted the food pantry was grateful for the awareness of the need in our community. Ms. Southard noted we lived in a caring community and it showed.

Mr. McKeehan inquired if Ms. Michael presented ShareFest to the University of Cincinnati. Ms. Michael noted UC contacted Andrew Wilson who provided them with information. Ms. Michael advised she and others presented ShareFest at the National Town Gown Conference in Washington D.C.

Vice Mayor Smith thanked Ms. Michael for making the presentation this evening.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the August 2, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 3, 2016 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 3, 2016 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Dana moved to approve the Consent Agenda. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
NOISE ABATEMENT

A Resolution No. 5002 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Saturday, October 1, 2016 from 11:00 p.m. until 12:30 a.m. in the Uptown Parks for the Miami Athletics Midnight Madness event. (Doug Elliott, City Manager)

Mr. Elliott advised this event would kick-off the Miami University basketball season and Council approved a noise abatement request last year. Mr. Elliott noted the Right-of-Way request was already approved by staff and the Noise Abatement request required Council's approval. Mr. Elliott advised Lindsay Sparks and Megan Henderson from Miami University were in attendance to answer any questions.

Mr. Dana inquired if there was any feedback last year from area residents. Mr. Elliott noted there was at least one complaint last year. Mr. Elliott advised last year the event was from 10:00 p.m. until midnight and this year the request was from 11:00 p.m. until 12:30 a.m. and it would be on a Saturday verses a Thursday night. Mr. Elliott noted he attended last year and it was a nice event. Mr. Elliott advised the temporary noise abatement would allow a DJ to play music and make announcements. Mr. McKeehan advised as Mayor, he received a complaint from a student living Uptown last year.

Ms. Southard inquired if the event would always take place on a Saturday in the future.

Ms. Lindsay Sparks, advised this was the second year for the event and the hope was to have it on Saturdays in the future knowing the concerns of residents in the area. Ms. Sparks noted the student athletes on the basketball teams loved the event. Ms. Sparks advised it was also Family Weekend and she hoped it would elevate the experience for families coming in to see what options students have to do on weekends.

Ms. Megan Henderson, advised Miami University had the opportunity on this weekend to highlight for students, families and the community, volleyball on Thursday and Friday nights, football on Saturday and hockey on Saturday and this gives Miami University the opportunity to highlight men's and women's basketball teams they otherwise would not see during a Family Weekend type of event.

Mr. Dana inquired if the event drew well. Ms. Sparks estimated at least 200 people attended last year.

Mr. McKeehan moved to adopt Resolution No. 5002. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
COST OFASSESSMENTS BY LOT

A Resolution No. 5003 determining the total cost of the assessment by lot, authorizing the list of assessments by lot to be filed with the Clerk of City Council and ordering the same be opened for public inspection and authorizing the Clerk of City Council to publish notice in a newspaper of general circulation that the list of assessments by lot is available for public inspection. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in advance of the annual summer street resurfacing program the City asks abutting property owners to get their curbs, gutters and sidewalks repaired if necessary. Mr. Dreisbach noted Council approved a Resolution of necessity in April for that to happen. Mr. Dreisbach advised in June Council approved a construction contract to have the repairs made if the property owners elected not to. Mr. Dreisbach noted all but 9 of the parcels were taken care of by the owners and 9 properties were listed on Exhibit "A" (page 39 of Council's packet) for potential cost to levy to those lots. Mr. Dreisbach advised the City would publish a notice for 3 consecutive weeks giving property owners a chance to object if they felt the cost was unwarranted or an error was made. Mr. Dreisbach noted the Clerk would report to Council any objections that might be received.

Mr. Dreisbach advised in the future an Ordinance would come before Council assigning the cost to the properties. Mr. Dreisbach noted at that time property owners could pay the total amount in cash within 30 days or they could choose to have the assessment on their taxes and pay over 5 years at 5% interest.

Mr. Dana referred to page 39 of Council's packet and inquired why all of the properties in question were on Brown Road. Mr. Dreisbach advised many of the other residents banded together and hired the same contractor and had the work done without involving the City.

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

Ms. Southard stated there had been a lot of conversation with the residents already. Mr. Dreisbach advised the residents received certified letters about the project and their responsibilities. Mr. Dreisbach reiterated the City would advertise the costs and if residents had objections they had a means to make that known through the Clerk.

Ms. Southard moved to adopt Resolution No. 5003. Mr. Dana seconded. The motion passed 6-0-0.

RESOLUTION
OXFORD RECREATIONAL
TRAIL

A Resolution No. 5004 accepting the proposal and authorizing the City Manager to enter into an agreement attached hereto as Exhibit "A" with Environmental Design Group for Preliminary Design Services for Oxford Recreational Trail Phase II at a cost not to exceed $27,000.00. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Resolution was for professional design services for Phase II of the Oxford Recreational Trail. Mr. Chen noted Phase II started at Bonham Road and went counter-clockwise to the Oxford Community Park. Mr. Chen advised the intent was to update the 2007 cost estimate as the City didn't know how valid the 2007 estimates might be when it was time to seek funding for the construction of Phase II. Mr. Chen noted the City advertised for Requests for Qualifications with 8 firms responding and it was narrowed down to Environmental Design Group. Mr. Chen advised a price for the professional design services was negotiated for $27,000. Mr. Chen reminded Council this was not a construction estimate, just an estimate to decide what funding sources to pursue for the construction of Phase II. Mr. Chen noted one segment of Phase II construction has been submitted to OKI for funding and that will be determined in September.

Mr. Dana stated $27,000 would be paid for the firm to estimate the cost of construction. Mr. Chen advised yes and noted they would also look at preferred routes. Mr. Dana referred to page 45 of Council's packet item 9 which read 'Opinions of construction cost prepared by Environmental Design Group under this agreement are just that. Environmental Design Group does not warrant or guarantee that the project can be constructed for those amounts and the client agrees that Environmental Design Group cannot be held liable for any discrepancies between bid costs and our opinions or estimates.'

Mr. Dana inquired if the City had expectations for construction costs that were likely to fall within a certain percentage of the cost presented by Environmental Design Group. Mr. Chen advised the City was trying to get the closest number possible and until the entire project was bid out we would not have the actual costs. Mr. Blackburn noted the City already had a grant for Phase II and staff needed to make sure the cost was within the boundaries of the grant. Mr. McKeehan advised Environmental Design Group would look at a few different routes and what might be more affordable. Ms. Southard noted as we foresee an aquatic center at the Community Park this would be a wonderful addition to making it accessible.

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

Mr. Dana moved to adopt Resolution No. 5004. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTION
AMEND AGREEMENT

A Resolution No. 5005 authorizing the City Manager to amend the Development Agreement between the City of Oxford and Capstone Development Corporation to allow the two (2) unit apartment building designated exclusively to house on site management personnel to be used for rental purposes. (Jung-Han Chen, Community Development Director)

Mr. Chen advised in 1993 a development agreement was entered into between Capstone Development Corp. and the City of Oxford for the development of what is currently called Hawks Landing. Mr. Chen referred to page 57 of Council's packet and noted one of the conditions of the agreement was that one residential building containing 2 apartment units shall be used exclusively to house on site management personnel. Mr. Chen advised Capstone made a request to allow the 2 units to be used for rental purposes since the need for on site management was no longer necessary with today's technology. Mr. Chen asked Council to consider waiving the provision for housing on site management and allowing the units to be rented. Mr. Chen noted a representative from Capstone was in attendance.

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

Mr. McKeehan inquired how many people would reside in the 2 apartments.

Mr. Mike Bennet, representing Capstone, advised 4 people would reside in the 2 units. Mr. Blackburn inquired how much occupancy would be reduced with the redevelopment underway at Hawks Landing. Mr. Bennet advised 44.

Mr. Dana moved to adopt Resolution No. 5005. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION
TAX LEVIES

A Resolution No. 5006 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)

Mr. Newlin advised this was an annual step in the budgeting process to certify the inside millage is 3.65% and the expected income would be just over one million dollars. Mr. Newlin noted in November another Resolution would come before Council for the City to receive advances on the income tax for better cash flow.

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

Mr. Dana oved to adopt Resolution No. 5006. Mr. McKeehan seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Ms. Southard, Mr. Smith (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal year 2016. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as reflected on page 69 of Council's packet with regard to the City's healthcare program and offered to answer any questions.

Mr. Dana noted healthcare costs had been rising over a period of time and inquired if Mr. Newlin could describe the percentage of increases over the years in rough terms.

Mr. Newlin advised he did not have that information with him this evening and noted he would provide it at the next meeting.

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

ORDINANCES
SECOND READING

ORDINANCE
CHAPTER 1143

An Ordinance No. 3362 Repealing Oxford Codified Ordinance Section 1143.12 Entitled General Business District, And Adopting New Oxford Codified Ordinance Section 1143.12 Entitled General Business District, And Adopting New Oxford Codified Ordinance Section 1143.16 Entitled Neighborhood Business District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he explained the rationale for the changes at the last meeting and noted staff would like to make one amendment to the proposed Ordinance. Mr. Chen referred to page 76 of Council's packet Section (d) 1. and read 'A minimum of 1 tree for every 25 feet of linear feet of frontage, with the exception of the area used for vehicle access' and noted staff would like to insert *The tree spacing shall be consistent with the requirements outlined in Oxford Codified Ordinance Section 935.06* to further clarify the tree spacing issue.

Mr. McKeehan moved to amend the proposed Ordinance on page 76 of Council's packet item (d) by inserting the words after access 'The tree spacing shall be consistent with the requirements outlined in Oxford Codified Ordinance Section 935.06'. Mr. Dana seconded. The motion passed 6-0-0.

Mr. Dana advised the proposed Ordinance was desirable because it respected and enhanced differing impacts on neighborhoods and building neighborhoods was the essence of good planning. Mr. Smith noted the proposed Ordinance would have an effect on neighborhoods that Council would like to see.

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

Mr. Dana moved to adopt Ordinance No. 3362. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Ms. Southard, Mr. Blackburn, Mr. Smith (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
CHAPTER 1133

An Ordinance No. 3363 Repealing Oxford Codified Ordinance Section 1133.01 Entitled Establishment Of Zoning Districts, And Adopting New Oxford Codified Ordinance Section 1133.01 Entitled Establishment Of Zoning Districts. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had noting new to add since the first reading and noted this was a housekeeping item related to the previous Ordinance.

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

Mr. Dana moved to adopt Ordinance No. 3363. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Blackburn, Ms. Southard, Mr. Dana, Mr. Smith (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
CHAPTER 1147

An Ordinance No. 3364 Repealing Oxford Codified Ordinance Chapter 1147 Entitled Conditional Uses, And Adopting New Oxford Codified Ordinance Chapter 1147 Entitled Conditional Uses. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new since the first reading of the proposed Ordinance and noted the changes were on pages 106 and 107 of Council's packet.

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

Mr. Dana referred to page 102 of Council's packet item (20) B. 1. and inquired what the significance of 891 feet was. Mr. Dreisbach suggested it could be that a City clock was 440 feet.

Mr. Dana moved to adopt Ordinance No. 3364. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Ms. Southard, Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mr. Smith (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
CHAPTER 1151

An Ordinance No. 3365 Repealing Oxford Codified Ordinance Chapter 1151 Entitled Signs, And Adopting New Oxford Codified Ordinance Chapter 1151 Entitled Signs. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would take care of site development regulations for the Neighborhood Business District.

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

Mr. Dana noted it was appropriate to have a detailed list with respect to signs in a new district.

Mr. Ellerbe inquired if a mural was considered a sign and inquired if someone wanted an exemption from the sign regulations could they come before Council. Mr. Chen advised he felt a mural was a sign and if someone wanted an exemption they could go before the Board of Zoning Appeals.

Mr. Dana moved to adopt Ordinance No. 3365. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public with regard to the Police Community Relations & Review Commission meeting which took place August 10, 2016. At Councilor Southard's request Mr. Elliott read a letter from the commission to Chief Jones and the Officers of the Oxford Police Department as follows:

'Nationally the summer of 2016 has been very challenging for police community relations. We were terribly aggrieved over the murders of several law enforcement officers killed in Dallas, Texas and Baton Rouge, Louisiana on July 7 and 17 respectively. The five officers killed in Dallas: Officers Brent Thompson, Patrick Zamarripa, Michael Krol, Sergeant Michael Smith and Sr. Cpl. Lorne Ahrens, were helping citizens exercise their constitutional right to peaceful protest when they were ambushed and murdered. Officers Montrell Jackson, Brad Garafola and Matthew Gerald, were protecting and serving the citizens of Baton Rouge when they too were ambushed and murdered. This type of violence must be condemned. Vigilante "justice" will do nothing to help restore trust between law enforcement and civilians from marginalized communities.

The police involved shootings of Alton Sterling, in Baton Rouge Louisiana, and Philando Castile, in St. Paul Minnesota, also resulted in greater erosion of trust between police departments and some of the communities that they police. The videos in these two incidents were troubling and highlighted the importance of establishing greater effectiveness, transparency, and accountability in community policing.

Our hope is that the Police Community Relations and Review Commission (PCRRC) will be helpful in building and strengthening good relationships between our police department and all of the citizens of Oxford. Citizens and sworn officers have a right to be treated with humanity and respect. Officers have chosen careers that can be dangerous and even deadly. At the end of the day, all individuals (citizens and officers alike), desire to return home safely to their loved ones. We believe that positive relationships between the police and the community is an important part of keeping both the community and our officers safe.

We are grateful for your willingness to protect and serve the citizens of Oxford. We will continue to work with the department in whatever way we can to help you fulfill this mission.

Respectfully,

The members of the PCRRC'

Mr. Elliott advised the police department was surprised and pleased to receive the letter. Mr. Elliott noted he felt the PCRRC was establishing what Council intended for them to do, build better relationships and improve relationships.

Mr. Elliott advised the annual Community Meeting to be held by the PCRRC was scheduled for October 11, 2016 at 7:00 p.m. at the Oxford Fire Station.

Mr. Elliott updated Council and the public with regard to the annexation of the Century 21 property on U.S. 27 South.

Mr. Elliott reminded Council of the Thursday, August 18th Work Session to discuss the five year Capital Improvement Program noting it would take place at 6:00 p.m. at the Courthouse.

Chief Jones reminded everyone that school starts tomorrow for the Talawanda School District and asked motorists to watch out for children and to pay attention to school buses.

Chief Jones reminded everyone of the Community Picnic on Thursday, September 1, 2016 from 6-8 p.m. noting staff looked forward to welcoming the students back to the community.

Mr. Ellerbe advised last Saturday the Red Brick Reunion took place in Uptown Oxford and noted it was a fantastic event. Mr. Ellerbe noted his hope the event would continue in Oxford for years to come.

Mr. Dana congratulated the Oxford Police Division for their intensive training programs with emphasis on community policing and for the cooperation efforts between the Oxford Police Division and the Miami University Police Department.

Ms. Southard noted she was pleased Mr. Elliott read the letter from the Police Community Relations and Review Commission and advised she felt it expressed what all citizens feel about the protection and sacrifices the police force makes.

Ms. Southard advised the railroad crossing on Chestnut Street was closed for 7 days for repairs and encouraged those who do not receive Nixle messages to sign up for the service at nixle.com to learn about important matters going on in the greater Oxford area. Mr. McKeehan noted the railroad crossing on Central Avenue was also closed for repairs.

Ms. Southard noted the Recreation Board was meeting on August 25th to visit a pool in the region to compare it with what Oxford might be thinking of in terms of a new aquatic center.

Ms. Southard welcomed Miami University and Talawanda School District students back to Oxford.

Mr. Blackburn referred to the Proclamation this evening regarding volunteerism and noted the Cajon Navy was out in full force in Baton Rouge. Mr. Blackburn advised citizens with a boat or a four wheeler were out there helping people. Mr. Blackburn asked that they be prayed for and thanked.

Vicc Mayor Smith noted the next Council meeting was September 6, 2016.

Vice Mayor Smith advised students were returning to Oxford and noted his hope everyone would make safe and responsible choices until school started on August 29th.

Vice Mayor Smith encouraged everyone to attend the Community Picnic on Thursday, September 1st and noted it was an awesome event.

ADJOURN

Mr. Dana moved to adjourn at 8:38 p.m. Mr. McKeehan seconded. The motion passed 6-0-0.

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: N/A

John A. Jones
Prepared By

Budgeted Amount: N/A

August 18, 2016
Date Prepared

Agenda Title: Ordinance repealing Oxford Codified Ordinance Sections 355.02 Definitions, 355.13 Prohibitions, and 355.99 Penalty; and adopting new Sections 355.02 Definitions, 355.13 Prohibitions, and 355.99 Penalty.

Recommendation: Approve

Discussion: While researching recent issues with the Residential Parking Permit (RPP) Program, staff discovered unclear language in the ordinance. The amendments proposed will make the language of the ordinance clear in its intent. This language clarifies that separate RPP zones are established and residents may only park in the RPP zone for which they are permitted. This amendment also changes the penalty for an RPP violation to be consistent with the penalty section of the general parking code by creating an escalating fine structure for late payments and subsequent offenses.

Approved By:

	Initial	Date
Department Head:	GKO	8/26/16
City Attorney:		
City Manager:	DRE	9/1/16

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTIONS 355.02 ENTITLED DEFINITIONS, 355.13 ENTITLED PROHIBITIONS, AND 355.99 ENTITLED PENALTIES, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTIONS 355.02 ENTITLED DEFINITIONS, 355.13 ENTITLED PROHIBITIONS, AND 355.99 ENTITLED PENALTIES.

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

SECTION I: Council hereby finds that it is necessary to repeal Oxford Codified Ordinance Sections 355.02 entitled Definitions, 355.13 entitled Prohibitions, and 355.99 entitled Penalties, and adopting new Oxford Codified Ordinance Sections 355.02 entitled Definitions, 355.13 entitled Prohibitions, and 355.99 entitled Penalties to clarify that separate residential parking permit zones exist, that residents may only park in the residential parking permit zone for which they have a permit, and to make the penalty consistent with other parking violations.

SECTION II: Council hereby repeals Oxford Codified Ordinance Sections 355.02 entitled Definitions, 355.13 entitled Prohibitions, and 355.99 entitled Penalties, and adopts new Oxford Codified Ordinance Sections 355.02 entitled Definitions, 355.13 entitled Prohibitions, and 355.99 entitled Penalties as follows (additions are bolded and deletions are struck through):

355.02 DEFINITIONS.

(a) "Residential area" shall mean a contiguous or nearly contiguous area containing public streets and highways or parts thereof where residents dwell;

(b) "Legal resident" shall mean a person who either owns or leases real estate as set forth in subsections (d) and (e) of this Section;

(c) "Residential permit parking area" shall mean a residential area designated as herein provided wherein resident motor vehicles displaying a valid permit as described herein shall be exempt from parking time restrictions established pursuant to this Chapter;

(d) "Residential parking permit" shall mean a permit issued by the City to allow a motor vehicle to be parked in a certain area within the City. "Parking permit" or "permit" shall both mean "residential parking permit."

(~~d~~**e**) "Owns" shall mean that a person has at least a one-quarter interest in a parcel of real property within a residential permit parking area;

(**ef**) "Lease" shall mean that a person pays rent or other remuneration for use of a parcel of real property as his residence or place of business;

(~~f~~**g**) "Motor Vehicle" shall include an automobile, truck, motorcycle or other driven form of transportation not in excess of 6,000 pounds gross weight;

(**gh**) "Person" shall mean a natural person.

(~~h~~**i**) "Residential Living Unit" shall mean a room or group of rooms located within a dwelling and forming a single habitable unit, intended for living or sleeping by human occupants.

355.13 PROHIBITIONS.

(a) It shall be unlawful, unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle of a gross weight exceeding 50 pounds, ~~for a period exceeding the time limitation established pursuant hereto~~ **without displaying a valid residential parking permit, outside the posted time limitations established by City Council for a residential permit parking area, or in a location other than for which the residential parking permit was issued.**

(b) It shall be unlawful for a person to falsely represent themselves as eligible for a parking permit or to furnish false information in an application therefore to the City Manager or designee.

(c) It shall be unlawful for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act, both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued.

(d) It shall be unlawful for a person to copy, produce, or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City. It shall further be unlawful for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential permit parking area.

355.99 PENALTY.

~~Whoever violates any provision of this Chapter is guilty of a minor misdemeanor.~~

Whoever stands or parks their motor vehicle in a residential permit parking area without the proper permit issued by the City ~~shall be fined twenty-five dollars ($25.00).~~**shall pay a fine as follows:**

(1) Twenty-five dollars ($25.00) for the first offense, if the fine is paid at the Municipal Building within ten days after issuance of the violation notice. Fifty dollars ($50.00) if the fine is not paid at the Municipal Building within ten days after issuance of the violation notice.

(2) Fifty dollars ($50.00) for a second offense within twelve months if the fine is paid at the Municipal Building within ten days after issuance of the violation notice. Seventy-five dollars ($75.00) if the fine is not paid at the Municipal Building within ten days after issuance of the violation notice.

(3) Seventy-five dollars ($75.00) for a third offense, or any subsequent offenses, within twelve months if the fine is paid at the Municipal Building within ten days after issuance of the violation notice. One hundred dollars ($100.00) if the fine is not paid at the Municipal Building within ten days after issuance of the violation notice.

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

_____

MAYOR

ADOPTED:

ATTEST:

_____

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #:

Sam Perry
Prepared By

Budgeted Amount:

August 30, 2016
Date Prepared

Agenda Title:	**Board of Zoning Appeals Meeting Report – August 17, 2016**

Adjudication Hearing

BZA-2016-04, 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, Variances, Chapter 1151 Signs, specifically, 1151.05(e)(2)A building identification sign area and natural illumination, **Michael Murphy, Champlin Architecture, Applicant, Agent**

Mr. Murphy submitted revised drawings and information regarding the tabled variance requests for a donor sign to be constructed on the Emergency Department canopy. The submitted drawings reflected a reduction from the original submission in the size of the sign; however, the sign was still shown as internally illuminated.

After discussion, the BZA approved the variance request with a 3-2-0 vote.

The next regular BZA meeting is Wednesday, September 21, 2016 at 7:30 p.m.

Approved By:

	Initial	Date
Department Head:	JHC	8/30/16
City Attorney:		
City Manager:	DRE	8/31/16

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: N/A

John A. Jones
Prepared By

Budgeted Amount: N/A

August 18, 2016
Date Prepared

Agenda Title: ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION

Recommendation: Approve

Discussion: Passage of this ordinance would give Public Safety Assistants (PSAs) the expressed authority to impound or immobilize a vehicle pursuant to this section. While PSAs have performed these duties for several years as an agent of the Police Chief, a recent review by the Law Director determined that an amendment to this section giving a PSA the expressed authority under this section was prudent.

Approved By:

	Initial	Date
Department Head:		8/26/16
City Attorney:		
City Manager:		8-31-16

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 303.08 ENTITLED IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION.

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

SECTION I: Council hereby finds that it is necessary to repeal Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption, and adopting new Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption to clarify the authority of Public Safety Assistants to impound and boot vehicles.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption, and adopts new Oxford Codified Ordinance Section 303.08 entitled Impounding and Booting of Vehicles; Redemption as follows (additions are bolded and deletions are struck through):

303.08 IMPOUNDING AND BOOTING OF VEHICLES; REDEMPTION.

(a) Police officers are authorized to provide for the removal and impounding of a vehicle or the booting of a vehicle, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon the right of way of any road or highway or upon private residential property under the following circumstances

(1) When any vehicle is left unattended upon any street, bridge or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with street cleaning or snow removal operations, or firefighters or workers in any other calamity.

(2) When any vehicle has been stolen or operated without the consent of the owner.

(3) When any vehicle displays illegal license plates or fails to display the current lawfully required license plates.

(4) When any vehicle has been used in or connection with the commission of a felony.

(5) When any vehicle has been damaged or wrecked so as to be inoperable or violates equipment provisions of this Traffic Code whereby its continued operation would constitute a condition hazardous to life, limb or property.

(6) When any vehicle is left unattended due to the removal of an ill, injured or arrested operator.

(7) When any vehicle has been operated by any person who has failed to stop in case of an accident or collision.

(8) When any vehicle has been operated by any person who is driving without a lawful vehicle license or while his license has been suspended or revoked.

(9) When any vehicle is found for which two or more citation tags for violations of this traffic code have been issued and the owner or operator therefore has failed to respond to such citation tags as lawfully required.

(10) When any unattended vehicle is parked so as to be in violation of Traffic Code Section 351.03.

(11) When any unattended vehicle is parked during a snow emergency violation of Section 351.16.

(12) When any unattended vehicle is parked in violation of Section 351.17.

(13) When any unattended vehicle is parked in violation of Section 351.03(r).

(14) When any unattended vehicle is parked so as to be in violation of Oxford Code Section 351.18.

(15) When any unattended vehicle is parked in violation of Section 351.19.

(16) When vehicle is parked in violation of Section 353.03(a) upon the fourth or subsequent offense within twenty-four months.

(17) When any vehicle is parked in violation of Section 351.06.

(18) When any vehicle is parked in violation of Section 351.13.

(b) Police officers are further authorized to provide for the removal and impounding or the booting of any motor vehicle when so authorized pursuant to the provisions of the Ohio Revised Code.

(c) The Police Department shall forthwith notify the registered vehicle owner of the fact of such removal and impounding, reasons therefore and the place of storage, or if the vehicle is immobilized by a boot, a notice of the booting shall be placed on the windshield that explains the reason for booting and the release procedure. Any person desiring to redeem an impounded or booted vehicle shall appear at the Police Department to furnish satisfactory evidence of identity and ownership or right to possession. Prior to issuance of a release form, the claimant, owner or operator shall either pay the amount due for any fines for violations on account of which such vehicle was impounded or booted or, as the court may require, post a bond in an amount set by the court, to appear to answer to such violations. The pound operator shall release such vehicle upon the receipt of the release form and payment of all towage and storage charges, or a police officer may remove the boot after all applicable fines and fees are paid.

(d) Public Safety Assistants are also authorized to provide for the removal and impounding of a vehicle or the booting of a vehicle pursuant to this Section. A police officer must issue final authorization before a vehicle is removed and impounded or booted under this Section pursuant to an order by a Public Safety Assistant.

(~~d~~**e**) No owner or operator shall remove a boot or an impounded vehicle from the place of storage without complying with the above procedure. Possession of a vehicle which has been booted or impounded and unlawfully taken from the place of storage, by the owner or operator, shall constitute prima facie evidence that it was so removed by the owner or operator. Whoever violates this section is guilty of obstructing justice pursuant to Section 525.08.

(**ef**) Impound Fees: Fees for impounded vehicles shall be those fees adopted in the City of Oxford Fee Ordinance. These fees as set forth in the Fee Ordinance shall be paid prior to release of any vehicle from the impound lot.

(~~f~~**g**) Towing Charges: The City of Oxford will pay towing charges for vehicles towed to the City impound lot at the request of the Oxford Police Department. The fee for the towing charges are set forth in the Oxford Fee Ordinance. Additional charges at the prevailing rate may be paid for services requiring specialized equipment or extra personnel. These charges will be reimbursed to the City prior to the release of any vehicle from the impound lot.

(~~g~~**h**) No vehicle which has been immobilized by the Oxford Police Department, by use of a boot, may be released unless and until each and everyone of the following conditions are satisfied:

(1) Sufficient proof is presented to the Police Department showing that all outstanding fines for violations or a bond as ordered by the Court, issued for that vehicle, have been paid in full, including any court costs.

(2) Payment is made to the Police Department for an immobilization removal fee in the amount as set forth and established by the Oxford Fee Ordinance.

(~~h~~**i**) Refund: Any person found not guilty or having the charge nulled when such charges authorized and directly resulted in towing and impounding or booting, shall thereupon be refunded by the City and towing and impound fees or booting fees so paid.

(~~i~~**j**) Courtesy Notice: Whenever a police officer **or Public Safety Assistant** chalks a tire or by any other manner commences to observe a vehicle suspected of violating the 72-hour parking prohibition, such police officer **or Public Safety Assistant** shall place under the windshield wiper of such vehicle, or other convenient place, a written notification to the effect that said vehicle is subject to towing and impoundment if it remains parked for more than 72 hours. This notice is intended as a courtesy and is not jurisdictional and proof of such notification is not required in determining guilt or innocence of a defendant.

(~~j~~**k**) Towing Requirements:

(1) Eligibility: Any wrecker service located in the City of Oxford shall be eligible to receive calls from the Police Division for wrecker service provided such person or company agrees to provide wrecker service 24 hours per day, seven days a week, and submits proof of liability insurance as well as proof of ability to perform to the Police Division. In addition, to be placed on such eligibility list, such person or company shall sign a statement provided by the Police Division to the effect that they have received a copy of subsections (f) and (j) hereof and do agree to be bound by all terms and conditions therein contained as well as administrative rules or regulations promulgated by the Chief of Police relative to towing procedure

(2) Rotation List: The Police Division shall maintain an eligibility list of wrecker operators complying with subsections (f) and (j) hereof and the police dispatcher shall call such operators in rotation. The Chief of Police may remove the name of any wrecker service operator failing to comply with subsections (f) and (j) hereof.

(3) Owner/Operator Responsibility: Wrecker service and towing charges for any vehicle not taken to the City impound lot shall be the sole responsibility of the owner or operator of such vehicle and said charges will not be paid or collected by the City except as hereinafter provided.

(4) Emergency City Responsibility: In any emergency situation, such as street repair, water main break and snow accumulation, the Chief of Police may authorize vehicles to be moved and not taken to the impound lot. When so authorized by the Chief of Police, wrecker charges will be paid by the City at an hourly rate agreed upon and established in advance by the Chief of Police and the wrecker service.

(5) When so authorized by the Chief of Police and whenever multiple vehicles need to be towed, wrecker charges will be paid by the City at an hourly rate agreed upon and established in advance by the Chief of Police and the wrecker service.

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

_____

MAYOR

ADOPTED:

ATTEST:

_____

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott *Police*
Originating Department

Council Meeting Of: September 6, 2016

John A. Jones
Account Code No. #: N/A **Prepared By**

Budgeted Amount: N/A August 18, 2016
Date Prepared

Agenda Title: AN ORDINANCE ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 127.13 ENTITLED PARKING ENFORCEMENT UNIT.

Recommendation: Approve

Discussion: Ohio Revised Code Section 737.051 Entitled City auxiliary police unit – city parking enforcement unit, allows for the legislative authority of a city to establish, by ordinance, a parking enforcement unit within the police department of the city. This unit has existed for several years within the Oxford Police Division; however our research did not uncover a specific ordinance creating this unit. While the Public Safety Assistant job classification is established through Salary Ordinance and Civil Service, we believe it to be prudent to adopt an ordinance specifically creating this unit.

The Public Safety Assistant's duties shall be the enforcement of ordinances pertaining to parking regulations as listed in Chapters 351, 353, and 355 of the Codified Ordinances. Public Safety Assistants will also be given the authority to enforce ordinances in Chapter 505 related to animal control. Public Safety Assistants shall also have the authority to determine that it is necessary to impound and/or boot a vehicle pursuant to Section 303.08 of the Codified Ordinances. Public Safety Assistants shall have other related duties as the Safety Director or Chief of Police direct.

Approved By:

	Initial	Date
Department Head:		
City Attorney:		
City Manager:		

ORDINANCE NO.

AN ORDINANCE ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 127.13 ENTITLED PARKING ENFORCEMENT UNIT.

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

SECTION I: Council hereby finds that the City Manager and the Chief of Police recommend that a new Oxford Codified Ordinance Section 127.13 entitled Parking Enforcement Unit be adopted to provide new provisions for the establishment of a parking enforcement unit in the City of Oxford, Ohio.

SECTION II: Council hereby adopts new Section 127.13 as follows:

127.13 PARKING ENFORCEMENT UNIT.

(a) There is hereby created a Parking Enforcement Unit within the Police Department. The Parking Enforcement Unit shall consist of Public Safety Assistants.

(b) The Safety Director shall be the executive head of the Parking Enforcement Unit and shall make all appointments and removals of Public Safety Assistants, subject to any general rules prescribed by Council by ordinance, and shall provide for the rules for the organization, training, administration, control, and conduct of the Parking Enforcement Unit/Public Safety Assistants.

(c) The Chief of Police shall be the commander of the Parking Enforcement Unit.

(d) The Public Safety Assistants' duties shall be the enforcement of ordinances pertaining to parking regulations as listed in Chapters 351, 353, and 355 of the Codified Ordinances and animal regulations as listed in Chapter 505 of the Codified Ordinances. Public Safety Assistants shall also have the authority to determine that it is necessary to impound and/or boot a vehicle pursuant to Section 303.08 of the Codified Ordinances and shall have the authority to conduct animal control calls. Public Safety Assistants shall have such other related duties as the Safety Director or Chief of Police shall direct.

(e) The Public Safety Assistant position shall be a classified position.

(f) The training that the Public Safety Assistants' shall receive shall include instruction in general administrative rules and procedures governing the Parking Enforcement Unit, the role of the judicial system as it relates to animal control and parking regulation and enforcement, proper techniques and methods relating to the enforcement of animal control and parking ordinances, human interaction skills, and first aid.

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

_____

MAYOR

ADOPTED:

ATTEST:

_____

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to City Manager — Finance (Originating Department)

Council Meeting Of : 8/16/2016

Account Code No. : see below

Budgeted Amount :

Joe Newlin (Prepared By)

8/9/2016 (Date Prepared)

Agenda Title: **2016 Supplemental Budget #7**

Recommendation: **Approve**

Issue 1
To make adjustment to amended budget for health care reimbursements and associated expenditures over the $75,000 budgeted amount

Action Needed:

Revenue Side

Employee Benefits (230)	**314,052.00**	**Reimbursements from carrier**

Expense Side

Employee Benefits (230)	**314,052.00**	**Appropriation from unencumbered balance for medical expenses**

Net Effect on Fund Balance/(s) Increase/(Decrease) -

Issue 2
To make adjustment to budget for additional City contribution for monthly health care contribution for September - December
- Budgeted $1,189 per employee X 105 employee, adjusted $1,275 per employee X 105 employee
- $86 X 105 employees X 4 months

Action Needed:

Revenue Side

Employee Benefits (230)	36,120.00	Additional revenue City contribution for monthly health care

Expense Side

General (110)	19,001.17	Additional expenditure City contribution for monthly health care from unencumbered balance
Street (122)	2,934.75	Additional expenditure City contribution for monthly health care from unencumbered balance
Parking (130)	816.17	Additional expenditure City contribution for monthly health care from unencumbered balance
Water (321)	4,817.17	Additional expenditure City contribution for monthly health care from unencumbered balance
Wastewater (331)	6,206.41	Additional expenditure City contribution for monthly health care from unencumbered balance
Refuse (341)	607.79	Additional expenditure City contribution for monthly health care from unencumbered balance
Fire & EMS (418)	1,736.54	Additional expenditure City contribution for monthly health care from unencumbered balance

Net Effect on Fund Balance/(s) Increase/(Decrease) -

Total Net Effect on Fund Balance/(s) Increase/(Decrease) -

Breakdown by Fund

General (110)	(19,001.17)
Street (122)	(2,934.75)
Parking (130)	(816.17)
Employee Benefits (230)	36,120.00
Water (321)	(4,817.17)
Wastewater (331)	(6,206.41)
Refuse (341)	(607.79)
Fire & EMS (418)	(1,736.54)
Net Effect on Fund Balance/(s) Increase/(Decrease)	0.00

Approved By:

Department Head: Initials: Date: 8/31/16

City Manager: Initials: Date: 9/1/16

F:\General Accounting\2016\Ordinances\Supplementals\Staff Report SB 7

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3335 AND DECLARING IT AN EMERGENCY. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 7 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2016.

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

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

SECTION 2: The following increase/(decrease)in revenues be made:

Employee Benefits Fund 230	**314,052.00**
Employee Benefits Fund 230	36,120.00

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

Employee Benefits Fund 230	**314,052.00**
General Fund 110	19,001.17
Street Fund 122	2,934.75
Parking Fund 130	816.17
Water Fund 321	4,817.17
Wastewater Fund 331	6,206.41
Refuse Fund 341	607.79
Fire & EMS Fund 418	1,736.54

SECTION 4: In all other respects, Ordinance No. 3335 shall remain in full force and effect.

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

_____
MAYOR

ADOPTED: _____

ATTEST:

_____
DEPUTY CLERK OF CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: Aug. 29, 2016

Agenda Title: Recreation Advisory Board Meeting, 8/25/16

Recommendation: Approve

Discussion:

In attendance: Ken Bogard, Edna Southard, Kevin Ackley
Staff: Casey Wooddell, Deanna Barbour
Unable to attend: Craig Bennett, Shaunna Tafelski, Wes Cole

The Recreation Advisory Board traveled to Connersville, Indiana to perform a site visit of the Roberts Park Aquatic Center. This facility was constructed in 2006 and includes the following amenities: 2 water slides, zero depth entry pool, six swim lanes and a splash pad area. Attached to this document is a list of questions which was utilized by board members during this site visit.

On the trip to the site, Mr. Wooddell distributed reports and pictures for board members to review from three previous site visits performed in 2016. Mr. Wooddell and Mr. Doug Elliott completed a site visit to Eaton's new facility (2016), and Mr. Wooddell completed site visits in Tipp City and Troy (both opened 2005). Each of these aquatic centers includes some amenities and design aspects which may be desirable for the new Oxford Aquatic Park. Recreation Board members asked several questions about each site and discussed some of the pros and cons to each. A full report of each site visit is available upon request.

The purpose of these site visits is to visually research desirable aspects which will serve the greater Oxford community with the new Oxford Aquatic Park. It is also to discuss specifics with the directors of these facilities to learn what aspects have been successful and what aspects would be changed if the process was started over. Lastly, we seek to learn which architects and constructions companies have been the most successful and pleasing to their customers.

Approved By:	Initial	Date
Department Head:	CDW	8/29/16
City Manager:		8/31/16

Aquatic Center Site Visits

Location: _____ **Date:** _____

1. **What was the total cost of construction, and what amenities were included in this facility?**

2. **Who manages the facility? In-house staff or contracted out?**

3. **Who were the architects and construction companies used? What was your satisfaction level of these companies?**

4. **How much increase did you experience in operational costs? How much increase did you experience in staff needs?**

5. **How much increase in revenues, daily visitors and pool pass sales?**

6. **What type of filtration system is used, why and how effective is it?**

7. **What structure type (fiberglass, stainless, etc.) is used and why?**

8. **What aspects would be changed if the process was restarted?**

9. **What aspects are you 100% satisfied with?**

10. **What type(s) of fundraising strategies were used?**

11. **How much input did you get from community members? What strategies were used to obtain this information?**

12. **Was a 'steering committee' utilized to push this project and aid in fundraising, public education, etc.?**

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott *Police*
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: N/A *John A. Jones*
Prepared By

Budgeted Amount: N/A August 18, 2016
Date Prepared

Agenda Title: Ordinance repealing Oxford Codified Ordinance Section 351.16 entitled Snow Routes and adopting new Section 351.16 entitled Snow Routes.

Recommendation: Approve

Discussion: While researching the parking ordinances, staff discovered that the penalty section for a violation of Section 351.16 Snow Route was inconsistent with other parking violations in this Chapter. By eliminating subsection (d) in the current ordinance which provides for a penalty under Section 303.99, the penalty for a violation of 351.16 will fall under Section 351.99 Penalty.

This change will make a parking on a snow route violation more consistent with other parking violations. A first offense will be $25 if paid within ten days and $50 if paid after ten days. The fine for a second offense within twelve months will be $50 if the fine is paid within ten days ($75 after ten days). For a third or any subsequent offenses, the fine is $75 if paid within ten days and $100 if paid after ten days.

Approved By:		**Initial Date**
	Department Head:	JAJ \ 8/26/16
	City Attorney:	\
	City Manager:	DRE \ 9/1/16

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 351.16 ENTITLED SNOW ROUTES, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 351.16 ENTITLED SNOW ROUTES.

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

SECTION I: Council hereby finds that it is necessary to repeal Oxford Codified Ordinance Section 351.16 entitled Snow Routes, and adopting new Oxford Codified Ordinance Section 351.16 entitled Snow Routes to make the penalty for a violation consistent with other parking violations.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 351.16 entitled Snow Routes, and adopts new Oxford Codified Ordinance 351.16 entitled Snow Routes as follows (deletions are struck through):

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

_____
MAYOR

ADOPTED:

ATTEST:

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Office of the Mayor

Proclamation

Whereas: 1 in 7 men will get prostate cancer in his lifetime; and

WHEREAS, Veterans are 1.5 times more likely to get prostate cancer; and

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer related deaths among men; and

WHEREAS, this year approximately 180,890 men will be diagnosed with prostate cancer in the United States alone- that's one man every 2.9 minutes and roughly 26,120 will die this year from the disease - which is one man every 20 minutes; and

WHEREAS, African American men are at the highest risk for the disease with a rate of 1 in 4 men. African American men are 2.5 times more likely to die of the disease; and

WHEREAS, education regarding prostate cancer and early detection strategies are critical to saving lives and preserving and protecting our families; and

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of Oxford to increase the importance of prostate screenings.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby recognize September 2016 as:

"PROSTATE CANCER AWARENESS MONTH"

in Oxford and encourage all citizens to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 6th day of September, 2016.

KATE ROUSMANIERE, MAYOR

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire
Originating Department

Council Meeting Of: September 6, 2016

Account Code No. #: 418.152.73113

John Detherage
Prepared By

Budgeted Amount: $35,760.35

August 17, 2016
Date Prepared

Agenda Title: A Resolution authorizing the Oxford Division of Fire to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot) and mount with budgeted funds.

Recommendation: Adopt the Resolution.

Discussion:
The item described below will assist with patient movement, traditionally an area that produces a significant amount of injuries.

This powered cot will replace an older design that only lifted and lowered the patient. The powered unit removes the stress placed on the operator by not only lifting and lowering the patient, it also carries the weight of the cot and patient during the loading and unloading process. The operator carries none of the weight while moving the unit in and out of the ambulance.

This will be our second cot of this type. This also includes a trade-in credit of $3,500.00 on the unit to be removed from service.

Approved By:

	Initial	Date
Department Head:		
City Manager:	DRE	8/31/16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE OXFORD DIVISION OF FIRE TO PURCHASE ONE (1) FERNO INX INTELLEGENT TRANSPORT LOADING SYSTEM (EMS COT) AND SPECIFIED APPURTENANCES DESIGNED TO REDUCE INJURIES TO FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS AT A TOTAL COST NOT TO EXCEED $35,760.35.

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

SECTION 1: The City Manager and the Fire Chief recommend the Oxford Division of Fire be authorized to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot)and specified appurtenances designed to reduce injuries to firefighters and emergency medical technicians at a total cost not to exceed $35,760.35.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Fire Chief and finds the equipment is designed to reduce injuries to firefighters and emergency medical technicians.

SECTION 3: The Oxford Division of Fire is hereby authorized to purchase one (1) Ferno iNX Intellegent Transport Loading System (EMS Cot) and specified appurtenances designed to reduce injuries to firefighters and emergency medical technicians at a total cost not to exceed $35,760.35.

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

_____
MAYOR

ADOPTED:

ATTEST:

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

877.733.0911
www.Ferno.com

QUOTATION PREPARED FOR OUR VALUED CUSTOMER
OXFORD, CITY OF

Account ID: 45297410 **PO Ref:** iNX and iNLine Fastener 8-16-16 **Quote #** 00018589 **Date Quoted:** 8/16/2016

Customer Contact:	Billing Address:	Shipping Address:
John Detherage - 513-523-6324	Oxford, City Of No Default Address Available	Oxford, City Of 217 S. Elm Street Oxford, OH 45056 US

Terms	Valid	FOB	Ship Via
TBD	30 Days	Origin	Most Economical

Qty	Item#	Product Description	Preferred Cust. Price	Extended Price
1	0000INXINLINE	INX INLINE COT SHIP KIT	33,695.00	33,695.00
1	ILFS86STNEWMNT	INLINE 86 W/LONG FLOOR MOUNT	4,995.00	4,995.00
1	LAIV3SCL	INX/MONDIAL MB 3 STAGE IV POLE	405.45	405.45
1	0822453	INX TELESCOPING FRAME STO-NET	164.90	164.90
1	NA	Trade in allowance for one Stryker Powercot (Serial # TBD)	-3,500.00	-3,500.00

Approval: _____ _____
Printed Name Signature

Credit Card: _____ Secure Code: _____ Exp: _____

Subtotal	35,760.35
Sales Tax	.00
Est. Shipping	.00
Your Price	35,760.35

Comments: Shipping charges to be added when order placed. (customer may pick up units if they need to).Thank you for your business.

Your Sales Representative is:
Jim Kalb
j.kalb@ferno.com
(815)409-0475

Thank you for allowing the Ferno team to serve you!

Your Customer Service Contact is:
Michelle Cline
m.cline@ferno.com

*** Order subject to approval by Ferno. If not quoted, shipping and any applicable sales tax will be added to invoice. Credit cannot be allowed on returns of special or modified items. Prices and specfications are subject to change without notice.*

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 6, 2016

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

August 22, 2016
Date Prepared

Agenda Title: Notice To Legislative Authority - Stock Transfer for Walgreen Co. DBA Walgreens 09906 200 S. Locust Street Oxford, Ohio 45056.

Recommendation: N/A

Discussion: This is a stock transfer as indicated above.

The permit is for:

C1 - Beer only in original sealed container for carry out only.

C2 - Wine and certain prepackaged mixed drinks in sealed containers for carry out.

D6 - Sunday sales.

Approved By:

	Initial	Date
Department Head:		
City Manager:	DRE	8/31/16

NOTICE TO LEGISLATIVE AUTHORITY

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

TO

93579419906 PERMIT NUMBER	STCK TYPE	WALGREEN CO DBA WALGREENS 09906 200 S LOCUST ST OXFORD OH 45056
ISSUE DATE		
05 03 2016 FILING DATE		
C1 C2 D6 PERMIT CLASSES		
09 TAX DISTRICT / 088 / A	F16870 RECEIPT NO.	

RECEIVED
8-22-16
City of Oxford

FROM 08/18/2016

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	

MAILED 08/18/2016 RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/19/2016

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 STCK 9357941-9906
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

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

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

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

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

1 ck $100
#354

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP

PROCESSING FEE $100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name	Liquor Permit Number(s)
Walgreen Co.	93579419906 F-016870

Permit Premises Address: 200 S. Locust St., Oxford, OH 45056

Email Address: robin.vancleave@walgreens.com

Attorney's Name, Address and Telephone Number (If represented)
Thomas Henry, 610 Smithfield St., Suite 300, Pgh PA 15222; Marc Myers, 300 West Wilson Bridge Rd., Worthington OH 43085

Is Stock Traded on a National Exchange? ☐ YES ☒ NO — If YES, give Name of Exchange and Symbol: N/A

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 A: PREVIOUS 5% OR MORE STOCKHOLDERS — Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) Publicly traded	N/A	N/A	N/A
2) OK To Key CL 4-15-16			
3) no viol, no pen Rev; Others issued			
4) please send CC & PD Rpt			
5)			

SECTION B: REVISED 5% OR MORE STOCKHOLDERS — Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) Walgreens Boots Alliance, Inc.	N/A		100
2)			
3)			
4)			
5)			

OH. DIV. LIQUOR CONTROL
FRONT DESK-3
2016 JUN 21 AM 8:41

NOTE: **If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.**

TOTAL NUMBER OF SHARES ISSUED: 100

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
1) CEO/President Alexander Gourlay		
2) Vice-President Alan Nielson		
3) Secretary Amelia Legutki		
4) Treasurer Alan Nielson		

CITY OF OXFORD
STAFF SUMMARY REPORT

Report to the City Manager | **Economic Development Department**

For the September 6, 2016 City Council Meeting

Prepared by: G. Alan Kyger
Date Prepared: August 31, 2016

Agenda Title: One Fourth Oxford Inc. Lien release

Recommendation: Approval

In the summer of 2010, One Fourth Oxford Inc. (dba Quarter Barrel) received funding through the City of Oxford Revolving Loan Fund.

As collateral for this loan, Brandon Ney & Heidi Leah Schran agreed to allow the City of Oxford to place a lien against their home at 319 West Withrow Street.

In August of 2015, Quarter Barrel had fully satisfied the terms and conditions of this loan. At the time this loan had been paid in full, the City of Oxford should have released the lien on the property.

This resolution will allow for this lien to be released.

Reviewed By:		**Initial**	**Date**
	Department Head:		8-31-16
	City Attorney:		
	City Manager:		8-31-16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE RELEASE OF A MORTGAGE GIVEN BY THE CITY OF OXFORD, OHIO, TO HEIDI L. SCHRAN AND BRANDON S. NEY IN THE AMOUNT OF $98,889.00 RECORDED WITH THE BUTLER COUNTY, OHIO RECORDER'S OFFICE IN BOOK 8279 PAGES 1147 TO 1149.

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

SECTION 1: The City Manager and the Economic Development Director recommend the mortgage recorded with the Butler County, Ohio Recorder's Office in book 8279 pages 1147 to 1149 given by the City of Oxford, Ohio, to Heidi L. Schran and Brandon S. Ney be released.

SECTION 2: The Clerk of Council and the City Manager are hereby authorized to execute the necessary paperwork, releasing the mortgage and to cause the same to be recorded with the Butler County, Ohio Recorder's Office.

SECTION 3: This release is hereby given upon report of the Economic Development Director that said mortgage is paid in full.

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

_____
MAYOR

ADOPTED:

ATTEST:

_____
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

August 10, 2016

Karen Lesniak
ACS Title and Closing Services
232 High Street
Hamilton, OH 45011

RE: Lien Release

On July 15, 2010, One Fourth Oxford Incorporated, secured a City of Oxford Revolving Loan for the amount of $94,889.00.

One Fourth Oxford Inc. President, Brandon S. Ney, committed his property at 319 W. Withrow Street, Oxford, Ohio, parcel # H4100008000072, as collateral. The City of Oxford then secured this collateral in placing a lien on this property. Butler County Ohio Lien #2010-00048095

In August of 2015, One Fourth Oxford Incorporated made the last loan payment, fully satisfying the terms of the original loan.

The City of Oxford states Branden S. Ney no longer has any fiduciary responsibility on this mortgage and the City of Oxford will be releasing this lien at the Butler County Recorder's office as soon as possible.

We apologize for not releasing this lien at the time the mortgage was fulfilled.
Sincerely,

Joseph G. Newlin
Finance Director
City of Oxford

G. Alan Kyger
Economic Development Director
City of Oxford

Butler County, Ohio
Dan Crank COUNTY RECORDER
File# 2010-00048095
BK 8279 PG 1147

Image ID: 000007713871 Type: OFF
Recorded: 11/10/2010 at 02:27:23 PM
Fee Amt: $36.00 Page 1 of 3
Workflow# 0000078888-0001

MORTGAGE

KNOW ALL MEN BY THESE PRESENTS that this

Mortgage ("Security Instrument") is given on July 15, 2010. The Mortgagor is Heidi Leah Schran and Brandon S. Ney, husband and wife, whose address is 319 W. Withrow St., City of Oxford, Butler County, Ohio 45056 (Mortgagor). This Security Instrument is given to the City of Oxford, Ohio, which is organized and existing under the laws of the State of Ohio and whose address is 101 East High Street, Oxford, Ohio 45056 ("Lender"). Pursuant to a certain Loan Agreement and Promissory Note, each of even date ("Loan Agreement" and "Promissory Note" respectively) One Fourth Oxford, Inc., d/b/a Quarter Gastropub & Brewery ("Borrower") owes Lender the principal sum of **Ninety Four Thousand Eight Hundred Eighty Nine and NO/100 Dollars ($ 94,889.00)**, and Mortgagor has executed a personal guaranty upon such debt owed by Borrower.

This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Loan Agreement and Promissory Note, with interest, and all renewals, extensions, and modifications of the Note; and (b) the performance of Mortgagor's and Borrower's covenants and agreements under this Security Instrument, Loan Agreement, and Promissory Note. For this purpose, Mortgagor does hereby mortgage, grant, and convey to Lender the following described property:

Located in Butler, County, Ohio:

All real property described more fully as Exhibit "A" attached hereto and incorporated by reference.

Said property has an address of 319 W. Withrow St., Oxford, OH 45056 ("Property address"), and a parcel ID of H4100008000072.

This mortgage is given, upon the statutory condition, to secure the payment of Ninety Four Thousand Eight Hundred Eighty Nine and NO/100 Dollars ($ 94,889.00) with interest as provided in note of even date.

"Statutory condition" is defined in Section 5302.14 of the Revised Code and provides generally that if the mortgagor pays the principal and interest secured by this mortgage performs the other

obligations secured hereby and the conditions of any prior mortgage, pays all the taxes and assessments, maintains insurance against fire and other hazards, and does not commit or suffer waste, then this mortgage shall be void.

Heidi Leah Schran and Brandon S. Ney, wife/husband of said mortgagor, release to the mortgagee all rights of dower therein.

BY SIGNING BELOW, Mortgagors accept and agree to the terms and covenants contained in this Security Instrument.

WITNESS **MORTGAGORS**

Heidi Leah Schran

Brandon S. Ney

STATE OF OHIO)
) **SS:**
COUNTY OF BUTLER)

BE IT REMEMBERED, That on this 15 day of July, 2010, before me, the subscriber, a NOTARY PUBLIC in and for said state, personally came, Heidi Leah Schran and Brandon S. Ney, husband and wife, the Mortgator(s) in the foregoing mortgage, and acknowledged the signing thereof to be their voluntary act.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my notarial seal on the 15th day of July, 2010, last aforesaid.

Notary Public
My Commission Expires August 13, 2011

This instrument prepared by:

Stephen M. McHugh - #0018788
ALTICK & CORWIN CO., L.P.A.
1 South Main Street, Suite 1700
Dayton, OH 45402-2016
(937) 223-1201

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Exhibit "A"

Situated in the County of Butler in the State of Ohio and in the City of Oxford and further described as follows, to wit:

Entire Lot Number THREE HUNDRED SEVENTY-EIGHT (378), as the same is known and designated on the revised plat of the City of Oxford, Butler County, Ohio.

Also the 16 ½ foot portion of Withrow Street adjacent thereto on the north side of Lot Number 378 vacated by the City of Oxford, Ohio by Ordinance dated May 11, 1853 and recorded in Butler County, Ohio Deed Records, Volume 888, Page 261.

Also an Easement, which shall run with the land, and for the benefit of the heirs and assigns of the Grantees, one and four tenths (1.4) feet in width running north and south along the east boundary line of Lot #379 in the City of Oxford, Butler County, Ohio.

Subject, however, to all building, use, planning and zoning restrictions, all limitations, easements, rights-of-way and protective covenants of record.

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