



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 20, 2016

EXECUTIVE SESSION

None.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; Edna Southard

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Swearing-In, Patrol Officers Richard Butler and Anthony Gilbert.

B. Proclamation - 'Caroline Scott Harrison Day'.



Proclamation

C. Proclamation - 'National Hispanic Heritage Awareness Month'.



Proclamation

D. Notice to Legislative Authority - New permit for Miami University 500 E. Sycamore Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director).



Notice

E. Notice to Legislative Authority - New permit for Ox Pizza LLC DBA Rapid Fired Pizza 7 W. High Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director).



Notice

F. Public Comments.

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

4. Consent Agenda.

A. Minutes of the September 6, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the August 31, 2016 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

C. Report regarding the September 7, 2016 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. A Resolution authorizing the City Manager to sign preliminary consent legislation and other contracts with the Ohio Department of Transportation in connection with the Bridge Inspection Program inside the Oxford corporate limits (PID No. 102554) at no cost to the City. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

1. A Resolution of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a neighborhood conservation overlay district for Quail Ridge Drive as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Jung-Han Chen, Community Development Director).



Staff Report/Resolution

2. A Resolution authorizing the City Manager to accept the Ohio Department of Public Safety OVI grant in the amount of \$224,917.00 on behalf of the Oxford Police Division as Lead Agency for the administration of the grant to fund the Butler County OVI Task Force operations for 2017. (John Jones, Police Chief).



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2017 grant funded through the Ohio Department of Public Safety. (John Jones, Police Chief).



Staff Report/Resolution

4. A Resolution authorizing the City Manager to enter into an agreement with the Talawanda School District Board of Education for cooperative use of physical facilities to provide recreational and leisure time activities in the Oxford Community. (Casey Wooddell, Parks and Recreation Director).



Staff Report/Resolution

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

A. First Reading.

1. An Ordinance Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 8 To Make Supplemental Appropriations For Fiscal Year 2016. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Chapter 729, Entitled "Vendors And Solicitors" And Adopting New Oxford Codified Ordinance Chapter 729 "Vendors And Solicitors." (Douglas R. Elliott, Jr., City Manager).



Staff Report/Ordinance

2. An 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. (John Jones, Police Chief)



Staff Report/Ordinance

3. An Ordinance Adopting New Oxford Codified Ordinance Section 127.13 Entitled Parking Enforcement Unit. (John Jones, Police Chief)



Staff Report/Ordinance

4. An Ordinance Repealing Oxford Codified Ordinance Section 351.16 Entitled Snow Routes, And Adopting New Oxford Codified Ordinance Section 351.16 Entitled Snow Routes. (John Jones, Police Chief)



Staff Report/Ordinance

5. An 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. (John Jones, Police Chief)



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Sept 21 Board of Zoning Appeals Meeting 7:30 p.m. (Cancelled)

FRI - Sept 23 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Sept 27 Recreation Board Meeting 4:00 p.m. Oxford Senior Center

WED - Sept 28 Civil Service Commission Meeting 5:30 p.m. Municipal Building

THUR -Sept 29 Charter Advisory Commission Meeting 3:00 p.m. Municipal Building

TUES - Oct 4 City Council Meeting 7:30 p.m.

WED - Oct 5 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Oct 5 Environmental Commission Meeting 7:00 p.m. Municipal Building

THUR - Oct 6 City Council Budget Work Session 6:00 p.m.

FRI - Oct 7 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Oct 11 Police Community Relations & Review Commission Community Meeting

TUES - Oct 11 Planning Commission Meeting 7:30 p.m.

MON - Oct 17 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

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

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

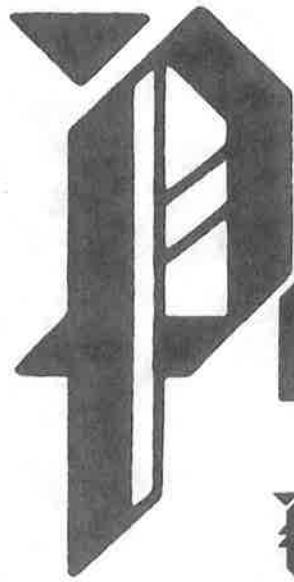
THUR - Oct 20 Recreation Board Meeting 4:00 p.m. Oxford Senior Center

FRI - Oct 21 Student Community Relations Commission Meeting 2:30 p.m. LCNB

WED - Oct 26 Civil Service Commission Meeting 5:30 p.m. Municipal Building

FRI - Oct 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.



Office of the Mayor

Proclamation

Whereas:

Caroline Scott Harrison was born in Oxford, Ohio, at Two South Campus Avenue, on October 1, 1832; and

WHEREAS, her father, John Witherspoon Scott, was a professor at Miami University, and her mother was Mary Neal Scott; and

WHEREAS, Caroline met Benjamin Harrison in Cincinnati while her father taught at Farmer's College. In 1852, Benjamin graduated from Miami University, and Caroline graduated from the Oxford Female Institute. They married in Oxford on October 20, 1853, in her parents' home at 131 West High Street; and

WHEREAS, Benjamin won the U.S. presidential election in 1888, and Caroline and Benjamin left for Washington, D.C., in 1889. Benjamin Harrison became the 23rd President of the United States when he was inaugurated on March 4th of that year; and

WHEREAS, Caroline was the first in the White House to have a decorated Christmas tree, and she was also responsible for having electricity installed in the White House; and

WHEREAS, An advocate of education for women, Caroline agreed to raise funds for the Johns Hopkins Medical School in 1890 on the condition that women be admitted on the same basis as men; and

WHEREAS, Caroline became the first President General of the newly formed Daughters of the American Revolution (DAR) in 1890; and

WHEREAS, Caroline Harrison's contributions as First Lady unfortunately are often overlooked, but she did much to further equality for women, and her plan for White House renovation contributed greatly to its future evolution.

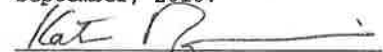
WHEREAS, Caroline died in the White House on October 25, 1892, and she was mourned by the nation. Funerals were held both in Washington, D.C., and in Indianapolis, Indiana, where she is buried at Crown Hill Cemetery, beside her husband who died in 1901.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim October 2, 2016, as:

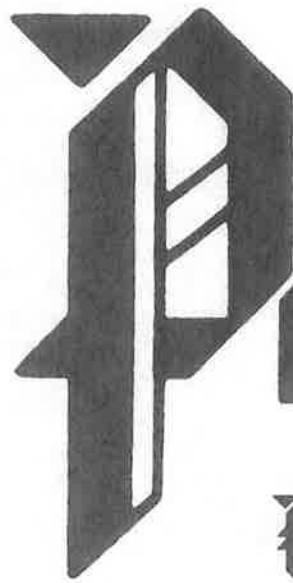
'Caroline Scott Harrison Day'

in the City of Oxford and urge all citizens to celebrate her importance here in Oxford and as First Lady.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 20th day of September, 2016.


KATE ROUSMANIERE, MAYOR





Office of the Mayor

Proclamation

Whereas:

Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic/Latino Americans are the fastest growing minority population in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanic/Latino Americans have contributed immensely to the growth of our country, helping to shape the character and future of this state; and

WHEREAS, the cultural, educational, and political influences of Hispanic/Latino Americans can be seen and appreciated in all aspects of our life, from farm-worker struggles for housing and equal wages, to incredible and gifted artists, vibrant businesses, music and community festivals; and

WHEREAS, the Hispanic/Latino American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Hispanic/Latino Americans and recognize their contributions to our country; and

WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic/Latino Americans everywhere. To honor those achievements, the Congress, by Public Law 100-402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as 'National Hispanic Heritage Month'.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2016 as:

'NATIONAL HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic/Latino Americans in our country by participating in the activities and events planned for this important occasion.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 20th day of September, 2016.


KATE ROUSMANIERE, MAYOR

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: September 20, 2016

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 7, 2016

Date Prepared

Agenda Title: Legislative Authority Notice - New permit for Miami University 500 E. Sycamore Street Oxford, Ohio 45056

Recommendation: N/A

Discussion:

The permit is for:

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

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

Approved By:

Initial Date

Department Head:

City Manager:

DRE 7/16/16

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

58987660080		NEW		MIAMI UNIVERSITY 500 E SYCAMORE ST OXFORD OH 45056
PERMIT NUMBER		TYPE		
ISSUE DATE				
08 23 2016				
FILING DATE				
D1		PERMIT CLASSES		
09	088	A	B29991	
TAX DISTRICT		RECEIPT NO.		

FROM 09/01/2016

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

RECEIVED

9-6-16

City of Oxford



MAILED 09/01/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/03/2016

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 NEW 5898766-0080

(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

58987660080 PERMIT NBR
MIAMI UNIVERSITY
500 E SYCAMORE ST
OXFORD OH 45056

DAVID CREAMER

08/30/2016 ACTIVE VICE PRES.

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 20, 2016

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

September 7, 2016
Date Prepared

Agenda Title: Legislative Authority Notice - New permit for Ox Pizza LLC DBA Rapid Fired Pizza 7 W. High Street Oxford, Ohio 45056

Recommendation: N/A

Discussion:

The permit is for:

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

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

Approved By:

Department Head:
City Manager:

Initial Date

MRE \ 9-16-16

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

6616205		NEW		OX PIZZA LLC DBA RAPID FIRED PIZZA 7 W HIGH ST OXFORD OH 45056
PERMIT NUMBER		TYPE		
ISSUE DATE				
09 01 2016				
FILING DATE				
D1		PERMIT CLASSES		
09	088	A	B30457	
TAX DISTRICT		RECEIPT NO.		

FROM 09/06/2016

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

RECEIVED

9-6-16

City of Oxford



MAILED 09/06/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/07/2016

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 NEW 6616205**

(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

6616205 PERMIT NBR
OX PIZZA LLC
DBA RAPID FIRED PIZZA
7 W HIGH ST
OXFORD OH 45056



RAYMOND WILEY
KELLY GRAY

09/01/2016 ACTIVE
09/01/2016 ACTIVE

PRESIDENT MAN-MBR5%M
VICE PRES. 5% MEMSHIP

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, September 6, 2016 at 7:00 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Jennifer Roberts, Acting Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

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

AYE: Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 7:30 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION

'PROSTATE CANCER AWARENESS MONTH'

Mayor Rousmaniere read the Proclamation noting it was a very important and sobering message.

UPDATE
SEAVIEW OUTFITTERS RLF

Mr. Kyger advised the owners of Seaview Outfitters took out a Revolving Loan Fund loan from the City in August of 2011 and they had fully paid off the loan. Mr. Kyger noted brothers Jack and Steve Thomas came to the City with the idea of creating an outfitting/apparel store and five years later they owned 3 stores, one in Oxford, Bloomington Indiana and Lexington Kentucky. Mr. Kyger introduced Cody Costanzo, a business partner of Jack and Steve Thomas noting Mr. Costanzo was also a member of the Oxford Chamber of Commerce Board and Visitors Bureau Board. Mr. Kyger advised “Mom and Pop” businesses were what the Revolving Loan Fund was all about and those owners tended to get more involved with the community and give more back to the community.

Mr. Cody Costanzo, noted in addition to Seaview, they opened Root Yoga last year and without the City’s assistance there would be no Seaview Outfitters or Root Yoga. Mr. Costanzo advised being fresh out of college they didn’t have a lot of money and being able to come to the City was a huge asset. Mr. Costanzo noted the third Seaview Outfitters location in Lexington would open in two weeks. Mr. Costanzo thanked Council and advised he enjoyed being in Oxford.

Council members congratulated Mr. Costanzo followed by a round of applause for the success of the businesses.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Ms. Southard moved to nominate Mr. Andor Kiss to the Environmental Commission for a term ending June 30, 2020. Mr. McKeehan seconded. The motion passed 7-0-0.

NOTICE TO
LEGISLATIVE AUTHORITY

Stock Transfer for Walgreen Co. DBA Walgreens 200 S. Locust Street Oxford, Ohio 45056.

Mr. Kyger explained the transfer noting Walgreens merged with another company and the liquor license needed to reflect the new ownership.

Mr. Blackburn moved to accept the notice without comment. Mr. Ellerbe seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Mikhaila Fogel, Thomson Hall, 425 Western College Drive, noted she was a freshman at Miami University and moved in two weeks early this semester to participate in the Community DIVE (Diverse Immersion & Volunteer Experience) program. Ms. Fogel advised the participants had the opportunity to explore local agencies as well as volunteer in Over the Rhine. Ms. Fogel noted this was an important program to her so she could continue volunteer work she began in her hometown of Milwaukee, Wisconsin.

Ms. Fogel advised in addition to finding an agency she hoped to volunteer for soon she met 17 people who were like minded and had similar interests to hers. Ms. Fogel noted she made a lot of friends through the DIVE program and she wanted to extend a thank you to community leaders who had lunch and dinner with the group and allowed them to explore Oxford and local agencies.

Mayor Rousmaniere inquired which agency Ms. Fogel hoped to volunteer for. Ms. Fogel advised the Family Resource Center and noted she wanted to become a social worker.

Ms. Southard advised many Councilors and community members had the opportunity to meet the DIVE group and she was very impressed with the students. Ms. Southard noted she and Bob Ratterman gave the group a tour of the Oxford Community Choice Food Pantry. Ms. Southard advised it was a pleasure to meet Ms. Fogel and the others and welcomed them to Oxford noting she felt they would make a big difference.

Reverend David Emmerson, advised he felt everyone knew about the problems at Parkview Arms and noted drugs and violence were putting a black mark on an otherwise great City. Reverend Emmerson advised last night he had the unfortunate experience of witnessing a 20 year old male being beaten until unconscious and with a concussion. Reverend Emmerson noted this should not have happened because the person who did this was a known drug dealer. Reverend Emmerson advised most people in the complex knew who these people were but they were fearful of talking to the police about it. Reverend Emmerson noted he was very unhappy that the police seemed to treat the incident as a joke and he hoped he was mistaken. Reverend Emmerson advised he was not asked to make a statement even though he made the 911 call so he filled one out at the Police Station today. Reverend Emmerson noted he was receiving threats due to making the 911 call. Reverend Emmerson advised he would like to hear some positive ways of fixing the problems at Parkview Arms as the complex seemed to be neglected from a mental health care standpoint all the way to criminal activity.

Mayor Rousmaniere advised there were a number of community groups looking at issues of drug and opiate problems in town and the Oxford Police Department was working on these issues as well. Mayor Rousmaniere agreed Parkview Arms was an area to focus on. Reverend Emmerson advised there were a lot of good people at Parkview Arms some of whom had mental health issues or disabilities. Reverend Emmerson noted a small minority ruined the complex and they should not be there. Mayor Rousmaniere noted she was sorry about the incident Reverend Emmerson witnessed and she was glad he told Council about it. Mayor Rousmaniere advised Council would follow up on the matters.

CONSENT AGENDA

MINUTES

Minutes of the August 16, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 18, 2016 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 17, 2016 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 25, 2016 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

RESOLUTIONS

RESOLUTION

SALVAGE VEHICLES

A Resolution No. 5007 authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (John Jones, Police Chief)

RESOLUTION

EMS COT

A Resolution No. 5008 authorizing the Oxford Division of Fire to purchase one (1) Ferno Inx Intelligent Transport Loading System (EMS cot) and specified appurtenances designed to prevent injuries to firefighters and emergency medical technicians at a total cost not to exceed \$35,760.35. (John Detherage, Fire Chief)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION

RELEASE OF MORTGAGE

A Resolution No. 5009 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. (Alan Kyger Economic Development Director)

Mr. Kyger advised a year ago the owners of Quarter Barrel paid off their Revolving Loan Fund loan and they secured the loan through a lien on their home. Mr. Kyger noted that lien has not been released and the proposed Resolution would authorize the release of the lien on their home.

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

Mr. McKeehan asked Mr. Kyger to send the owners an apology for not releasing the lien sooner.

Ms. Southard moved to adopt Resolution No. 5009. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
MIAMI UNIVERSITY

A Resolution No. 5010 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 service during specified events on Miami University's campus and authorizing the City Manager to execute the same. (John Detherage, Fire Chief)

Chief Detherage advised a few years ago Miami University approached the City to provide stand-by EMS coverage at events on campus. Chief Detherage noted the program began with a direct pay approach for employees of the City and Miami University would like to change that by contracting with the City and paying the City a lump sum. Chief Detherage advised the contract was written by Mr. McHugh and Miami's attorney and asked for Council's approval of the proposed Resolution.

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

Mayor Rousmaniere asked Chief Detherage to explain the 'lump sum' payment. Chief Detherage advised the only lump sum would be the fee for use of the first aid trailer and everything else would be paid as the service is provided. Chief Detherage noted the City would invoice Miami after each event.

Mr. Smith inquired if the City would have to purchase a first aid trailer and Chief Detherage advised the City would use one provided by Butler County EMA.

Mr. McKeehan referred to the City's compensation on page 43 of Council's packet and inquired if the City's costs would be covered and Chief Detherage advised yes.

Mr. Blackburn inquired if the City's accounting costs were taken into consideration. Chief Detherage advised yes and noted the invoicing would be handled by the Fire Department.

Mr. McKeehan inquired if this would change the City's liability position. Chief Detherage advised no and noted liability insurance and Worker's Compensation coverage were reviewed.

Mr. Dana noted this effort showed good cooperation between the City and the university.

Mr. Ellerbe moved to adopt Resolution No. 5010. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
NEW CHAPTER 729

An Ordinance Repealing Oxford Codified Ordinance Chapter 729, Entitled “Vendors And Solicitors” And Adopting New Oxford Codified Ordinance Chapter 729 “ Vendors And Solicitors.” (Douglas R. Elliott, Jr., City Manager)

Mr. Elliott advised the City’s current vendors and solicitors ordinance was adopted in 1963 except for two sections. Mr. Elliott noted he and staff were proposing an update to the ordinance. Mr. Elliott advised the proposal includes a reasonable limitation on commercial and non-commercial solicitation hours from 9 a.m. to 9 p.m. Mr. Elliott noted the proposal also requires registration of credentials for commercial solicitors and a \$50 filing fee. Mr. Elliott advised there is also a provision which prohibits solicitation of a residence if a no solicitation or similar worded sign is posted near the entrance. Mr. Elliott recommended adoption of the proposed ordinance after the second reading so the City’s Vendors and Solicitors provisions could be updated.

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

Mr. Dana referred to page 48 of Council’s packet and noted it was heartening to read about the court case and that the provisions of the ordinance complied with a court tested decision. Mr. Dana noted one could be certain the ordinance is workable.

Ms. Southard inquired what rights homeowners had and how large the no-solicitation sign had to be. Ms. Southard inquired if the solicitor had to have verification they had paid the \$50 fee and if the non-commercial solicitors had to pay the fee.

Mr. Elliott referred to page 51 of Council’s packet Section 729.05 which contained specifications for signage indicating “No Solicitation” which any owner or occupant could display near their entrance. Mr. Elliott noted the letters must be at least ½ inch in height. Mr. Elliott advised if someone knocked on the door of a residence with a “No Solicitation” sign, they could call OPD on the non-emergency line and OPD would take care of the matter.

Mr. Dana referred to page 52 of Council’s packet Section 729.10 Sales On Certain Municipal Property Prohibited, and noted he felt the language was well crafted as it did not apply to non-profit or charitable organizations and it specifically mentioned the Oxford Farmers Market. Mr. Elliott noted those provisions were added in 2013 and carried over to the proposed update.

Mayor Rousmaniere inquired if commercial solicitors would carry documents indicating they had paid the \$50 fee. Mr. McKeehan referred to Section 729.09, Display of Credentials Upon Request, and advised yes.

Mr. Ellerbe inquired if the penalty was criminal or civil. Mr. Elliott referred to Section 729.99 and advised the penalty was a misdemeanor of the fourth degree for a first offense and a misdemeanor of the third degree for a subsequent offense.

ORDINANCE
NEW SECTION 303.08

An 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. (John Jones, Police Chief)

Chief Jones advised the next four ordinances related to parking and resulted from investigation by the new command staff who found issues with some of the language in the Oxford Codified Ordinances. Chief Jones noted the Police Division has had Public Safety Assistants (PSAs) for many years who have acted as an agent for the Police Chief. Chief Jones advised the first proposed ordinance gives PSAs the expressed authority to impound or immobilize vehicles which is something they have always done.

ORDINANCE
NEW SECTION 127.13

An Ordinance Adopting New Oxford Codified Ordinance Section 127.13 Entitled Parking Enforcement Unit. (John Jones, Police Chief)

Chief Jones advised the Ohio Revised Code outlined that municipalities could establish a local Parking Enforcement Unit which requires an Ordinance adopted by Council. Chief Jones noted the PSAs were covered by the salary ordinance and by Civil Service and the Law Director advised an ordinance should be adopted to establish the Parking Enforcement Unit within the Oxford Codified Ordinances.

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

ORDINANCE
NEW SECTION 351.16

An Ordinance Repealing Oxford Codified Ordinance Section 351.16 Entitled Snow Routes, And Adopting New Oxford Codified Ordinance Section 351.16 Entitled Snow Routes. (John Jones, Police Chief)

Chief Jones advised while researching the parking ordinances, staff discovered the penalty section for a violation of Section 351.16 Snow Routes, was inconsistent with other parking violations in Chapter 351. Chief Jones referred to page 63 of Council's packet and noted the proposed change will make the penalty for a parking on a snow route violation consistent with other parking violations.

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

Mr. McKeehan inquired if the ability to remove vehicles left in the snow routes was still intact and Chief Jones advised yes, in Section 303.08, Impounding and Booting.

ORDINANCE
NEW SECTIONS 355.02, 355.13 AND 355.99

An 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. (John Jones, Police Chief)

Chief Jones noted the proposed ordinance dealt with the City's Residential Permitted Parking program. Chief Jones referred to page 67 of Council's packet and advised the proposed language would clarify that persons with a residential permitted parking permit could only park in the Residential Permitted Parking area in which they lived.

Mr. McKeehan inquired how many Residential Permitted Parking areas had been established. Chief Jones advised 15, noting some of them overlapped somewhat.

Mr. Ellerbe inquired what the penalties were for violations of Section 355.13, Prohibitions. Chief Jones advised the penalties were contained in Section 355.99 and referred to page 67 of Council's packet.

Mayor Rousmaniere advised the ordinances would receive second readings at the next meeting.

ORDINANCE
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3366 Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal year 2016. (Joe Newlin, Finance Director)

Mr. Newlin advised the only change from the first reading was an increase for health care reimbursements.

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

Mr. Dana moved to adopt Ordinance No. 3366. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Mr. Blackburn, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted was served on the United Way Board and last week they held their 2016 Un-Sung Hero's campaign kick-off event at the Talawanda High School. Mr. Elliott advised the event was well received and School Resource Officer, Matt Wagers was nominated for an award.

Mr. Elliott noted the Community Picnic was a great success last week and thanked organizers John Buchholz and Jessica Greene. Mr. Elliott advised many organizations donated to the event and there were many volunteers including Council members, City staff and Police Community Relations & Review Commission members.

Mr. Elliott updated Council and the public on the City's Electric Aggregation Program and plans to increase enrollment.

Mr. Wooddell advised the municipal pool was closed for the season noting it was an excellent summer. Mr. Wooddell advised revenues were up from the last couple of years and he would report more on that soon.

Mr. Wooddell presented a PowerPoint of the new Parks and Recreation Program Guide. Mr. Wooddell commended his staff for creating new programs and new ideas for the program guide. Mr. Wooddell credited Ryan Himes, Program Supervisor, for his efforts in designing the program guide. Mr. Wooddell advised the guide could be used electronically which was a cost savings since he would order 1,000 less paper copies.

Mr. Wooddell advised the Masters Games would take place Monday, September 12 at the Oxford Senior Center and the 2nd annual Youth Wiffle Ball Tournament would take place September 24th.

Mr. Kyger advised his weekly report contained information regarding 'empty' storefronts noting his hope Council found it beneficial. Mr. Kyger added most of them were in various stages of development or redevelopment. Mr. Kyger advised 123 W. High Street was being used by the Trump Campaign. Mr. Kyger noted a new barber shop was opening at 8 N. Beech Street and the former Teahouse reopened as an Asian Barbeque at 15 W. High Street.

Mr. McKeehan thanked OPD and specifically John Buchholz for doing a fantastic job coordinating the Community Picnic. Mr. McKeehan noted the number of people in attendance was astounding.

Mr. McKeehan advised he had manned a grill for 7-8 years for the event noting John asked him once and assigned him thereafter. Mr. McKeehan noted the Miami University Synchronized Skaters volunteered which was very helpful.

Mr. McKeehan noted he served on the Community Improvement Corporation (CIC) and they oversee the Revolving Loan Fund. Mr. McKeehan advised he was pleased to offer his lending experience to the CIC. Mr. McKeehan noted it was rewarding to see businesses like Seaview Outfitters doing well and helping the community. Mr. McKeehan advised the business the City of Oxford helped start was now impacting two other communities with additional Seaview Outfitters stores.

Mr. Dana noted the Walk-About in the Mile Square was very successful and the interactions he had with students was very positive.

Mr. Dana advised the Cities and Villages recent publication discussed HB 233 which was important because it empowered cities to create downtown redevelopment districts and innovative districts for the purpose of rehabilitating historic buildings, creating jobs and encouraging economic development. Mr. Dana noted it was a comprehensive tool the City of Oxford could use.

Mr. Dana advised September 13 was a primary election and noted citizens must register to vote in the general election by October 11, 2016.

Mr. Smith noted the new Bonham Road bridge was awesome and a big improvement over the former bridge.

Ms. Southard advised the Walk-About was a great success and thanked Jennifer O'Brien from Miami University and the City for making the linkage possible to welcome students to Oxford. Ms. Southard noted the students were very receptive in receiving the idea they were part of the community. Ms. Southard advised it was a wonderful event as was the Community Picnic.

Mr. Blackburn noted the Community Picnic was great and Ms. Greene of the Visitors Bureau thought it was the largest crowd to ever attend.

Mr. Blackburn suggested information regarding the City's Electric Aggregation Program be included in the next Walk-About packet.

Mayor Rousmaniere noted Chief Jones, Mr. Elliott, Mr. Newlin and Mr. Chen participated in the Walk-About which was for juniors and seniors living off campus. Mayor Rousmaniere advised a First Year Take Over was sponsored by the Chamber of Commerce and the Visitors Bureau for first year students to participate in a scavenger hunt Uptown which was very successful.

Mayor Rousmaniere noted she was sorry Reverend Emmerson left the meeting and announced on Monday, October 24 the Talawanda School District was sponsoring a forum on opiate and drug problems in the community.

Mayor Rousmaniere advised the Coalition for a Healthy Community had a work group focused on opiate and other drugs which was an issue affecting Butler County extremely harshly and Oxford as well.

ADJOURN

Mr. Dana moved to adjourn at 8:32 p.m. Mr. Ellerbe seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 20, 2016

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

September 2, 2016
Date Prepared

Agenda Title:	Environmental Commission Meeting of August 31, 2016
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, August 31, 2016 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell, Mr. Kevin Armitage, and Ms. Madeline Maurer. A quorum was present. The meeting had been moved up one week from what would have been the regularly scheduled September monthly meeting (on September 7th). Mr. Hand would be unavailable to attend the regularly scheduled September 7th meeting. As Mr. Hand has previous professional experience in environmental, ecological, and sensitive area investigations, the Commissioners felt his input into development of recommendations for Oxford's code addressing Sensitive Development Areas for Planned Developments was important. With this in mind, the date of the Environmental Commission meeting was moved up one week to August 31, 2016.

The minutes from the August 3, 2016 Environmental Commission meeting were unanimously approved as presented.

Mr. Bell updated Commissioners on the Planning Commission's recent work session regarding housing in the Mile Square area of Oxford. The Planning Commission is seeking to create incentives for residential development within the Mile Square rather than on the outskirts of the city and contributing to an urban sprawl of the community. The Planning Commission would like to permit greater density in the northeastern and eastern portions of the Mile Square (closest to Miami University) for rental housing, while encouraging owner-occupant homes in the northwestern and western portion of the Mile Square. Also, the Planning Commission would like to amend the current codes regarding non-conforming properties in the Mile Square that ultimately discourage upkeep and/or renovations to existing structures.

The Environmental Commission continued to work on crafting Sensitive Development Areas language for Planned Development code (Oxford Codified Ordinance Chapter 1145). Presently, there is no requirement to assess and investigate for sensitive areas in a parcel potentially to be developed as a Planned Development. In the Codified Ordinance Subdivision Regulations (Chapter 1101) there is a section (Chapter 1101.402) addressing Sensitive Development Areas. The Commissioners concluded that the consistent and succinct method to craft a Sensitive Development Areas requirement for Planned Developments would be to copy Chapter 1101.402 and insert the text into Chapter 1145. In review of the

(Continued)

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>MBD</u>	<u>9/2/16</u>
		<u>DRE</u>	<u>9/16/16</u>

text for Sensitive Development Areas, Commissioners discussed the need to identify who would be responsible for determining the analysis (professional, certified, registered, licensed, third-party, etc.), refine and/or remove some of the existing language in Chapter 1101.402, and provide further definition for some terminology in the existing code. Also, it was noted that some of the information included in the Sensitive Development Areas analysis (as laid out in chapter 1101.402) were not apparently included in the various Documents Table check-off lists included as Attachments to Chapter 1101. Mayor Rousmaniere volunteered to make the suggested revisions to the Subdivision Regulation's Sensitive Development Areas text, and provide it to the Environmental Commissioners and Oxford's Community Development Department for additional comments.

The Commissioners concluded discussion at 8:50 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, October 5, 2016 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 20, 2016

Sam Perry
Prepared By

Account Code No. #:

September 14, 2016
Date Prepared

Budgeted Amount:

HAPC MEETING REPORT – September 7, 2016

New Business

HAPC-2016-14, 36 E. High Street, Brick Street, replacement of two existing windows on a patio and remove block below to create garage openings, **Mark Wiseman, Applicant, Owner**

The owner wished to remove two existing windows and block to create larger openings to relieve internal congestion. The proposal was to install garage doors on the existing window openings. The HAPC reviewed the project and was concerned about the inappropriate garage doors being installed at the locations as proposed by the owner. The Commission would like to see some glass/glazing on the garage doors and asked the owner to look at that option so that project could then be considered as an administrative approval.

HAPC-2016-16, Pre-Application, 200-208 E. High Street, Beta Theta Pi Fraternity, renovation and addition to the Alpha Chapter House, **Renouveau Design, Inc., Applicant, Agent**

Tom Converse with Renouveau Design Inc., representing the Beta Theta Pi Foundation, provided an overview of how the project would attempt to connect two existing buildings and replicate the existing character to accommodate the operational needs of the fraternity house. Mr. Converse went through the design highlights with the Commission noting that this project would not increase occupancy, but provides more interior space for fraternity functions, along with a museum of the Chapter that was established in 1918.

The Commission was happy to see the efforts to protect and preserve the two existing buildings and was encouraged with the commitment of Beta Theta Pi to develop this proposal, given the prominent location of the buildings.

Administrative Approvals

HAPC-2016-13-ADM, 7 W. High Street, Rapid Fire Pizza, installation of a new wall sign, **Ed Langley, Insignia Signs, Applicant, Agent**

The sign was approved administratively for a new tenant that will be coming soon to Oxford.

Old Business

HAPC-2015-13, 17 W. Church Street, demolition of an existing structure and construction of a new mixed-use building, **Scott Webb, Applicant, Agent**

The applicant shared with the Commission revised materials for the west elevation wall as requested by the Commission. Additionally, the applicant requested the Commission consider recessed balconies on the upper floors that were not part of the approved COA.

HAPC-2015-01, 10 N. Beech Street, Window and Cornice Details, **Greg Meyer, Applicant/Agent**

The applicant provided the most recent changes that were made in the field for the Commission to consider: a window lintel which was shown on the building plan, but not on the approved COA and

a frieze board treatment. The approved COA showed that the frieze board would be painted, but the actual work was aluminum wrapped. The Commission understood that changes were necessary and agreed with them; however, the Commission felt that there should have been better communication between the architect and City Staff before changes were made. The applicant also indicated that there would be a trash area next to the alley and that a brick wall would be installed to shield the refuse area from the public view.

Additional requests for review for a future brick wall will take place when the first floor tenant has been identified. The applicant also encouraged the Commission to walk through the first floor space since it was currently still under construction.

Announcements

The Building Inventory Subcommittee has met and is working on the write-ups of three buildings to support the determination of different categories. More information will come in the future.

The next regular meeting is October 5, 2016 at 6:00 p.m.

Department Head:

City Attorney:

City Manager:

JHC 9/14/16
DRE 9/16/16

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 20, 2016

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

September 13, 2016

Date Prepared

Agenda Title: Preliminary Legislation to Continue Participation in ODOT Bridge Inspection Program (PID 102554)

Recommendation: Approve

Discussion:

The City currently participates with the Ohio Dept. of Transportation (ODOT) bridge inspection program that is funded 100% by ODOT. ODOT has funding available to continue this program in conjunction with the Local Public Agency (Oxford) for the next two years.

ODOT scope for the project (PID 102554) will include bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development. Additional scope may be added at the sole discretion of ODOT.

While this program relieves the City of inspection costs, the City will still be responsible for maintenance and improvement costs associated with the structures. The savings to the City by joining this program is approximately \$4,000 annually.

As with other ODOT LPA projects, a request for Final Legislation will follow this Preliminary Legislation. Staff does not expect changes when the Final Legislation is developed. Staff recommends the City Council authorize the City Manager to sign agreements approving this project (PID 102554).

Approved By:

Department Head:

City Manager:

Initial

Date

MDR

9/15/16

DRE

9/16/16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN PRELIMINARY CONSENT LEGISLATION AND OTHER CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE BRIDGE INSPECTION PROGRAM INSIDE THE OXFORD CORPORATE LIMITS (PID NO. 102554) AT NO COST TO THE CITY OF OXFORD.

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

SECTION 1: The City Manager and the Service Director recommend approval of the attached Preliminary Consent Legislation which is incorporated herein by this reference, and related contracts not attached, in connection with a project to inspect bridges inside the corporate limits at no cost to the City of Oxford.

SECTION 2: Said bridge inspection is necessary to maintain the safety and integrity of bridges within the City of Oxford, Ohio, and would be undertaken by the Ohio Department of Transportation (ODOT) with 100% of the costs being paid by ODOT.

SECTION 3: Council hereby accepts the recommendation of the City Manager and the Service Director and approves the attached Preliminary Consent Legislation.

SECTION 4: Council hereby authorizes the City Manager to sign the attached Preliminary Consent Legislation, and to enter into related contracts with ODOT to participate in the bridge inspection program.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution # : _____

PID No. : 102554

County/Route/Section : _____

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

SECTION I – Project Description

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

Bridge Inspection Program Services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

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

SECTION II – Consent Statement

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

SECTION III – Cooperation Statement

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

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

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A.

SECTION IV – Utilities and Right-of-Way Statement

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

SECTION V Authority to Sign

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

Passed: _____, 2 _____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

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

**CERTIFICATE OF COPY
STATE OF OHIO**

_____ of _____ County, Ohio
(LPA)

I, _____, as Clerk of the _____
(LPA)
of _____ County, Ohio, do hereby certify that the foregoing is a true and correct copy of
_____ adopted by the legislative Authority of the said
(Ordinance/Resolution)

_____ on the _____ day of _____, 2_____.
(LPA)

That the publication of such _____ has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such _____ have been taken;
(Ordinance/Resolution)

and that such _____ and certificate of publication thereof are of record in _____,
Page _____ (Ordinance/Resolution)
(Record No.)

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

(Clerk)

(CITY SEAL)

_____ of _____ County, Ohio
(LPA)

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

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

For the _____ of _____ County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 20, 2016

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

September 12, 2016
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District for Quail Ridge Drive and Referring the Petition to the Planning Commission for Recommendation
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Recommendation: Approval
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Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been thirteen (13) petitions that have come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Quail Ridge Drive on September 7, 2016. There are a total of 19 parcels contained in the proposed overlay district boundary. The petition shows 17 valid signatures obtained, a total of 19 parcels, and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 17 parcels within the boundary, which is 89%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>9/14/16</u>
City Attorney:	<u></u>	<u></u>
City Manager:	<u>DRE</u>	<u>9/16/16</u>

RESOLUTION NO.

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR QUAIL RIDGE DRIVE AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

SECTION 1: The Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

SECTION 2: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and further refers the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OUTERLAY DISTRICT

THE PETITION IS SUBMITTED PURSUANT TO OXFORD ZONING CODE CHAPTER 1146 TO REQUEST CITY COUNCIL TO INTRODUCE AN ORDINANCE ACCEPTING A PETITION WHICH WOULD ALLOW THE INITIATION OF A ZONING MAP AMENDMENT TO CREATE A DISTRICT WITHIN THE DESCRIBED BOUNDARIES WHICH WOULD RESTRICT THE ABILITY OF PROPERTY OWNERS TO RENT THEIR PROPERTY TO MORE THAN TWO UNRELATED INDIVIDUALS.

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONER TO INITIATE A ZONING MAP AMENDMENT TO RESTRICT ANY PROPERTY WITHIN THE DISTRICT TO BE RENTED TO NO MORE THAN TWO UNRELATED INDIVIDUALS. THIS PETITION WILL NOT AFFECT PROPERTIES ALREADY LICENSED.

Please see the attached map for exact boundaries.

East Boundary:

North Boundary:

West Boundary:

South Boundary:

rear lots of 1-3 Quail Ridge Drive
rear lots of 3-11 Quail Ridge Drive

rear lots of 11, 12 and 13 Quail Ridge Drive

Brookville Road (rear lots of 13-19 Quail Ridge Drive)

Circulator's Full Name:

Circulator's Address:

Circulator's Signature:

Debra H. Allison

email: allisodh@miamioh.edu

7 Quail Ridge Dr.

Debra H. Allison

Circulator's Full Name:

Circulator's Signature:

Circulator's Full Name:

Christopher E. Allison email: allisoc@miamioh.edu

7 Quail Ridge Dr.

Chris E. Allison

Circulator's Signature:

Circulator's Full Name:

Circulator's Signature:

Jennifer Fisher

3 Quail Ridge Dr.

Jennifer E. Fisher

Circulator's Signature:

Circulator's Full Name:

Circulator's Signature:

James Squance

4 Quail Ridge Dr.

James Squance

RECEIVED

City of Oxford
9-7-16

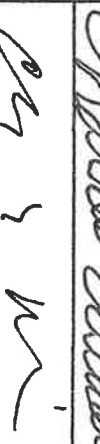
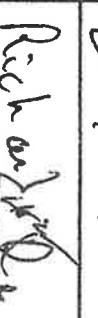
Petition for Quail Ridge Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Debra Allison, 7 Quail Ridge Drive

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
31 AUG 16	1 QUAIL RIDGE DR	DEIRDRE A DELONG		
8/31/16	2 QUAIL RIDGE DR	KAREN S SCHROER		
8/26/2016	3 QUAIL RIDGE DR	THOMAS J & JENNIFER E FISHER		
8/25/16	4 QUAIL RIDGE DR	HOWARD & KATHLEEN SQUANCE		
8/24/16	5 QUAIL RIDGE DR	TIMOTHY C & PATTI A KREHBIEL		
8/26/16	6 QUAIL RIDGE DR	CHARLES AND FRANCINE EDWARDS		
8/24/16	7 QUAIL RIDGE DR	CHRISTOPHER E ALLISON		
8/24/16	8 QUAIL RIDGE DR	RICHARD J & LYDIA R HOFMANN FAMILY TRUST		
	9 QUAIL RIDGE DR	DUVALL PROPERTIES %TOM DUVALL		no response
8/27/16	10 QUAIL RIDGE DR	KATE B ROUSMANIERE		
8/27/16	11 QUAIL RIDGE DR	DAVID MICHAEL ROWLETT		

Petition for Quail Ridge Neighborhood Conservation Overlay District, Oxford, Ohio

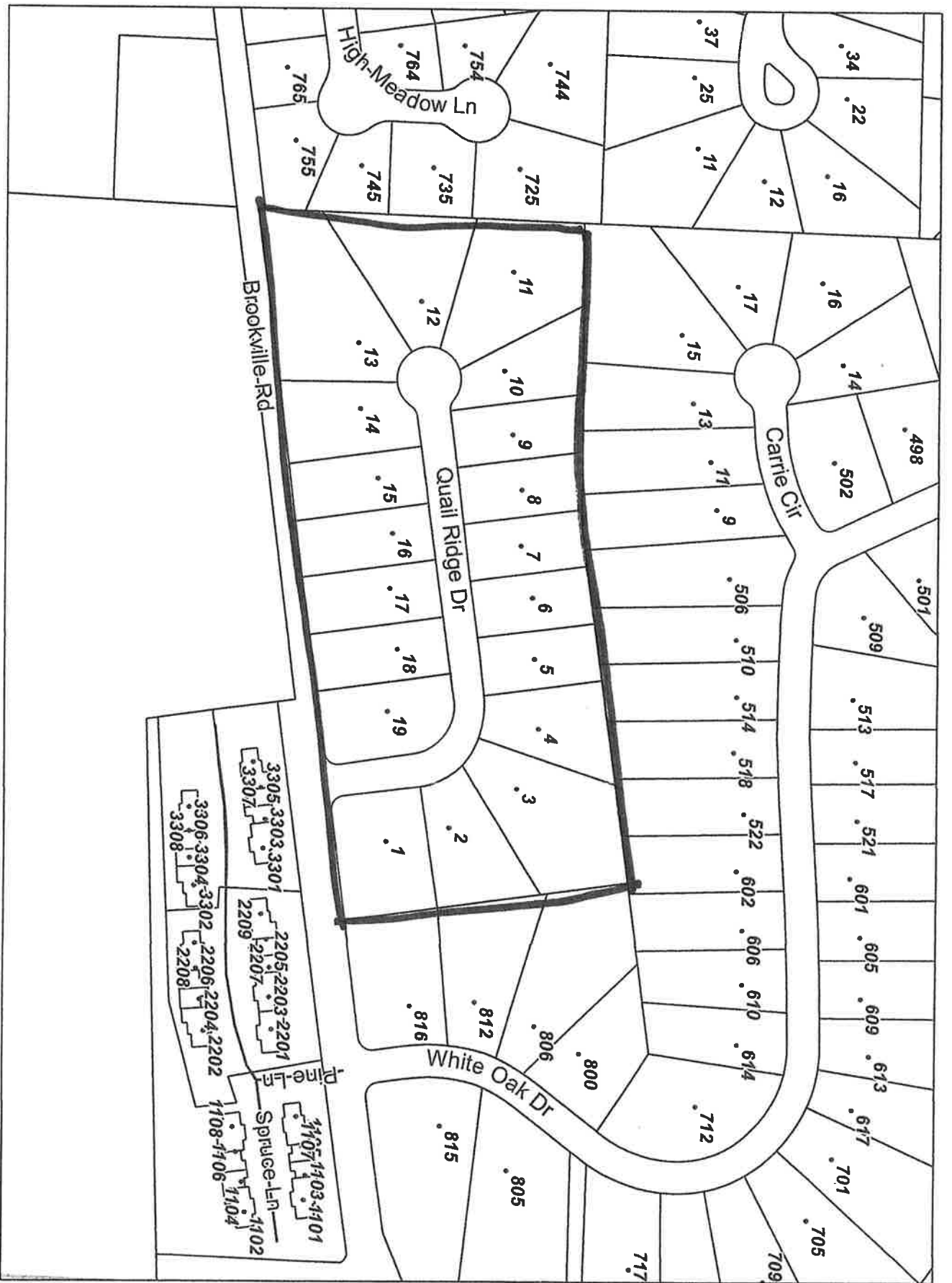
Petition Initiator: Debra Allison, 7 Quail Ridge Drive

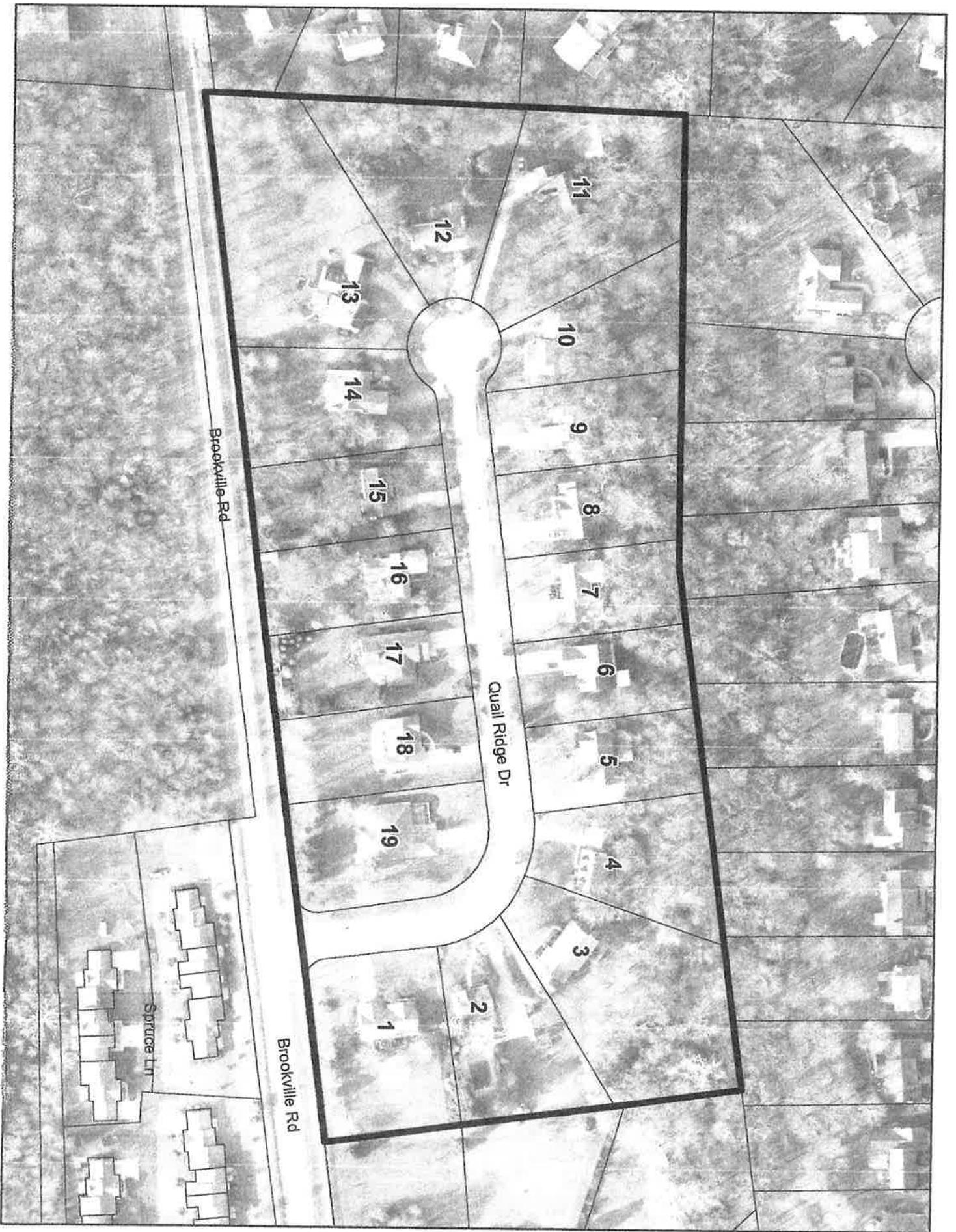
I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
8/26/16	12 QUAIL RIDGE DR	KENNETH & MELISSA KIST		
26 Aug 2016	13 QUAIL RIDGE DR	DAVID & RENNIE SIEBENHAR		
8/26/16	14 QUAIL RIDGE DR	S MATTEO & S BENNETT		
8/26/16	15 QUAIL RIDGE DR	LEBANON CITIZENS NATL BK BORNSTEIN & PHILLIPS-ESCROW		
8/27/16	16 QUAIL RIDGE DR	DANIEL J AND SUSAN R PROCHASKA		
8/24/16	17 QUAIL RIDGE DR	PETER M SCHULLER		
	18 QUAIL RIDGE DR	DALE & MARY LOU PLANK		no response
8-28-16	19 QUAIL RIDGE DR	DIANE FELLOWS		





TO: QUAIL RIDGE PROPERTY OWNERS
RE: PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DATE: AUGUST 2016

PROPOSED: That Quail Ridge Drive homeowners apply for a change of zoning called a “neighborhood conservation overlay district.” **This proposed zoning limits the number of persons in a rental residence to no more than two unrelated individuals.** If the zoning is approved, homeowners may rent property **but are limited to two unrelated persons who may live in the house.**

The purpose of the Conservation Neighborhood Overlay Zoning:

The purposes outlined in the ordinance are

1. To protect the privacy of residents and to minimize noise congestion and nuisance impacts by regulating the types of rental properties occupied by unrelated persons
2. To maintain an attractive community appearance and provide a desirable living environment for residents by preserving the owner occupied character of the neighborhood
3. To prevent excessive traffic and parking in the neighborhoods

Current zoning in Quail Ridge Drive: The current zoning for our area is “single family residence” defined as no more than FOUR unrelated people may live in the dwelling.

Process for a neighborhood to achieve overlay zoning

1. In order for our neighborhood to achieve this zoning, we must have **2/3 of the property owners sign a petition within 60 days (13 of 19 lots).**
2. The petition is sent to Oxford City Council that refers it to the Planning Commission for its recommendation.
3. If the recommendation is approved it is returned to City Council for second reading and approval. The process takes about three months.

A Quail Ridge resident will be contacting you soon with the opportunity for you to sign the petition. The signer of the petition must be the homeowner (if jointly owned, only one needs to sign.) You may contact any of the following individuals for further information.

Debra Allison, 7 Quail Ridge Drive, 523-5392
Christopher Allison, 7 Quail Ridge Drive, 523-5392
Jenny Fisher, 3 Quail Ridge Drive, 513-280-6272
Jim Squance, 4 Quail Ridge Drive, 423-1217

7 Quail Ridge Drive
Oxford, OH 45056
August 26, 2016

Mr. Tom Duvall
5942 Booth Road
Oxford, OH 45056

Dear Mr. Duvall,

The Quail Ridge neighbors on the enclosed list are working to petition Oxford City Council to grant a "Neighborhood Conservation Overlay" for Quail Ridge properties. If Planning Commission and City Council approve it, Quail Ridge homeowners would be restricted to rental of the home to no more than two unrelated persons. The current limit is four unrelated persons.

We are contacting the homeowners of record and asking for approval for this petition. If you are in agreement, please sign the enclosed petition and return it to me in the enclosed stamped, self-addressed envelope by September 5, 2016. If you do not support this, please write "Decline" in the signature space and date it, and return in the enclosed envelope.

Also enclosed is (1) a copy of the full ordinance passed by City Council in 2012, (2) a map that shows the boundaries for this overlay, and (3) a map that shows the already established overlays in the city, and other supporting items.

Should you have questions, you may email me at ALLISODH@MIAMIOH.EDU or call me at 523-5392.

Thank you,

Debra Allison

7 Quail Ridge Drive
Oxford, OH 45056
August 26, 2016

Mary Lou and Dale Plank
18 Quail Ridge Drive
Oxford, OH 45056

Dear Mary Lou and Dale,

The Quail Ridge neighbors on the enclosed list are working to petition Oxford City Council to grant a "Neighborhood Conservation Overlay" for Quail Ridge properties. If Planning Commission and City Council approve it, Quail Ridge homeowners would be restricted to rental of the home to no more than two unrelated persons. The current limit is four unrelated persons.

We are contacting the homeowners of record and asking for approval for this petition. If you are in agreement, please sign the enclosed petition and return it to me in the enclosed stamped, self-addressed envelope by September 5, 2016. Only one homeowner needs to sign. If you do not support this, please write "Decline" in the signature space and date it, and return in the enclosed envelope.

Also enclosed is (1) a copy of the full ordinance passed by City Council in 2012, (2) a map that shows the boundaries for this overlay, and (3) a map that shows the already established overlays in the city, and other supporting items.

Should you have questions, you may email me at ALLISODH@MIAMIOH.EDU or call me at (513) 523-5392.

Thank you,

Debi Allison

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: September 20, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 14, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager on behalf of the Division of Police to accept the Ohio Department of Public Safety OVI grant in the amount of \$224,917.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2017.

The administration of the grant involves both police and finance personnel. Oxford would serve as the lead agency for FY2017. There are 13 police agencies within Butler County that participate in the grant program and funding for FY2017 is \$224,917. This amount would be awarded to Oxford for distribution to participating agencies according to the terms of memorandums of understanding executed by officials of those 13 agencies. Funding through the program is essentially completed on a reimbursement basis. Participating agencies pay their officers and then submit reimbursement from Oxford. Reimbursements are on a monthly basis.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 9/14/16
[Signature] 9/16/16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE OHIO DEPARTMENT OF PUBLIC SAFETY OVI GRANT IN THE AMOUNT OF \$224,917.00 ON BEHALF OF THE OXFORD POLICE DIVISION AS LEAD AGENCY FOR THE ADMINISTRATION OF THE GRANT TO FUND THE BUTLER COUNTY OVI TASK FORCE OPERATIONS FOR 2017.

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

SECTION 1: The City Manager and the Police Chief recommend the City Manager be authorized to accept the Ohio Department of Public Safety OVI grant in the amount of \$224,917.00 on behalf of the Oxford Police Division as Lead Agency for the administration of the grant to fund the Butler County OVI Task Force operations for 2017.

SECTION 2: The City Manager is hereby authorized to accept the Ohio Department of Public Safety OVI grant in the amount of \$224,917.00 on behalf of the Oxford Police Division as Lead Agency for the administration of the grant to fund the Butler County OVI Task Force operations for 2017.

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

Police

Originating Department

Council Meeting Of: September 20, 2016

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 12, 2016

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2017 grant funded through the Ohio Department of Public Safety. The Oxford Division of Police is the lead agency responsible for the administration of the grant.

Recommendation: Approve

Discussion: The Oxford Division of Police is the lead agency for a grant from the Ohio Department of Public Safety for the Butler County OVI Task Force for FY2017. Peter M. Reising has been the OVI Coordinator since 2015 and has been coordinating the grant as a contractual employee of the City since his retirement in March 2016. The Police Chief would like to continue this arrangement for the FY2017 grant cycle.

Approved By:

Department Head:
City Manager:

Initial Date

JAE \ *9/11/16*
DRE \ *9/16/16*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PETER M. REISING TO PERFORM CONSULTING SERVICES AND TO FUNCTION AS THE BUTLER COUNTY OVI TASK FORCE COORDINATOR FOR THE 2017 GRANT FUNDED THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY.

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

SECTION 1: The City has been designated as lead agency responsible for the administration of a grant received from the Ohio Department of Public Safety to operate the Butler County OVI Task Force.

SECTION 2: Peter M. Reising has served as the OVI Coordinator for the City and the Police Chief recommends Mr. Reising continue in this role as a contractual employee.

SECTION 3: City Council accepts the recommendation of the Police Chief and hereby authorizes the City Manager to enter into an agreement with Peter M. Reising as a contractual employee acting as OVI Coordinator effective October 1, 2016.

SECTION 4: A copy of the agreement with Peter M. Reising is marked Exhibit "A" attached hereto and incorporated herein.

SECTION 5: 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"

AGREEMENT

THIS AGREEMENT entered into this 1st day of October, 2017 by and between the CITY OF OXFORD, OHIO, a municipal corporation of the State of Ohio (hereinafter referred to as the "City") and **PETER M. REISING**, 4071 California Road, Okeana, Ohio 45053 (hereinafter referred to as the "Coordinator").

I. RECITALS

The City, in association with a number of Butler County law enforcement agencies has received a FFY 2017 OVI grant funded through the Ohio Department of Public Safety. This grant will be used to fund the Butler County OVI Task Force activities related to enforcement of laws related to operating a motor vehicle while under the influence. The Oxford Police Department has been selected as the lead agency responsible for administration of the grant.

Pursuant to this end, a Management Coordinator is to be hired, and Peter M. Reising has agreed to act as the Management Coordinator (hereinafter referred to as the "Coordinator") to perform the consulting services under the following agreement:

II. TERMS OF THE AGREEMENT

- A. Services to be performed. City agrees to hire the Coordinator to provide all necessary labor, materials and record keeping in order to perform the Coordination Services for the FFY 2017 OVI grant. The Scope of Services to be performed includes compliance with all Terms and Conditions for Ohio Traffic Safety Office (OTSO) Grants as described in the FFY 2017 Competitive Grants Proposal and Award of Grant documents, compliance with any Special Conditions for OVI Task Forces as in the FFY 2017 Competitive Grants Proposal and Award of Grant documents, and submission of all required data and reports as required by this grant.
- B. Term. The Agreement shall become effective **October 1, 2016** and shall continue to be in effect until **September 30, 2017** unless terminated as set forth below.
- C. Compensation. As compensation for the services performed by the Coordinator to City will be at the following schedule.
 - a. All activities and work performed by Coordinator shall be compensated at a rate of **Fifty-six Dollars and .36 cents (\$56.36) per hour**. The entire amount of compensation shall not exceed the total of **Thirty Thousand Seven Hundred Sixteen Dollars and Twenty Cents (\$30,716.20)** dollars for a maximum 545 hours of work to be spread throughout the term of this Agreement.
 - b. Additional Obligations and Covenants of the Coordinator. As part of this agreement, the Coordinator agrees to the following items.
- D. In performing the services under this Agreement, the Coordinator shall comply with, and bear the cost of compliance with all applicable local, state, and federal requirements.
- E. Coordinator shall be responsible for and pay all federal, state and local taxes, including but not limited to all income and withholding taxes.
- F. Except with respect to payment for services, in order to receive the compensation listed above, the Coordinator must submit invoices to the City detailing the amount due, either on a bi-weekly or monthly basis, as may be determined by the City. In no event, shall billing be for a period in excess of 31 days.
- G. Obligations of the City. In the performance of this Agreement, the City agrees to be accessible to the Coordinator, to comply with all reasonable requests of the Coordinator and to provide the

Coordinator reasonable access to documents that may be necessary to perform the services under this agreement.

- H. Status of the Coordinator. It is understood and intended by both parties that the Coordinator, in performing the Services herein and receiving the compensation for such services, shall be acting as an independent contractor for the City and not as an employee or agent of the City. In that regard, no taxes or benefits shall be withheld from the compensation to be paid to the Coordinator, nor shall any such benefits, including, but not limited to unemployment compensation premiums or Workers' Compensation premium accrue to the Coordinator or be paid by the City on behalf of the Coordinator.
- I. Indemnifications. Notwithstanding any provision in this Agreement or any attachment or exhibit hereto, Coordinator shall indemnify and hold harmless against any and all liability imposed or claimed, including reasonable attorney fees and other legal expenses by and person or entity arising directly or indirectly from an act or failure to act by the Coordinator its employees, agents or subcontractors and in which injury or death to any person or damage to property is caused.
- J. Termination
- a. This Agreement may be terminated upon the delivery of a written notice of termination to the other party at least fifteen (15) days before the effective date of the termination.
 - b. The City may terminate the Agreement effective immediately upon the material breach of this Agreement, including but not limited to, falsification of documents, dishonesty, theft or other intentional breach. In such an event, no further compensation will be due.
- K. Equal Employment Opportunity
- a. The Coordinator will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Coordinator will take affirmative action to ensure that applicants are employed and the employees are treated during employment without regard to their race, color religion, sex or national origin. Such action shall include, but not be limited to, the following employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection for training including apprenticeship. The Coordinator agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
 - b. The Coordinator will, in all solicitations for advertisement for employees place by or on behalf of the Coordinator, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
 - c. The Coordinator will comply will all provisions of Executive Order No. 11246 of September 24, 1965 and be the rules regulations and relevant orders of the Secretary of Labor.
 - d. The Coordinator will furnish all information and reports required by Executive Order No. 12246 of September 24, 1965 and by the rules, regulations and relevant orders of the Secretary of Labor, or pursuant thereto and will permit access to books, record and accounts by the contracting agency and Secretary of Labor for purposes of investigation ascertain compliance with such rules, regulation and orders.
 - e. In the event of the Coordinator's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations or orders this agreement may be cancelled, terminated or suspended in whole or in part, and the Coordinator may be declared ineligible for further Government Contracts in accordance with procedures authorized in Executive Order No' 11246 of September 24, 1965 and such other

sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 25, 1965 or by rules, regulations or order of the Secretary of Labor or as otherwise provided by law.

- f. The Coordinator will include the provisions of subparagraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations or order of the Secretary of Labor issue pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor vendor. The Coordinator will take such action with respect to any subcontractor or purchase order as the Contract Agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Coordinator becomes involved in, or is threatened with litigation with a sub- contract or Coordinator or vendor as a result of such direction by the Contracting Agency, the Coordinator may request the United States to enter into such litigation to protect the interest of the United States.
- L. Segregated Facilities. The Coordinator will not maintain any facility which is provided for their employees in a segregated manner or permit their employees to perform their services at any location under control where segregated facilities are maintained except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
- M. Conflict of Interest. The Coordinator will abide by the provision that no member, officer or employees of the grantee, or its designees or agents, no member of the governing body of the locality or localities, who exercises any functions or responsibilities with respect to the program during the tenure or for one year thereafter, shall have any direct or indirect interest in any contractor, subcontractor or the proceeds thereof, financed in whole or in part with Title I grants.
- N. Copeland "Anti-Kick Back Act." The Coordinator agrees to comply with the Copeland "Anti-Kick Back Act" (18 U.S.C. 874) as supplemented in Department of Labor Regulations (29 CFR, Part 3). The Coordinator shall not induce, by any means, any person employed in the construction, completion or in repair of public work, to give up any part of the compensation to which is otherwise entitled.
- O. Termination of Agreement for Cause. If, through any cause, the Coordinator shall fail to fulfill in a timely and proper manner her obligations under this contract, or if the Coordinator shall violate any of the covenants, agreements or stipulations of this contract, the City shall there upon have the right to terminate this agreement by giving written notice to the Coordinator of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Coordinator under this agreement shall, at the option of the City, become its property and the Coordinator shall be entitled to received just and equitable compensation for any work satisfactorily completed hereunder. Notwithstanding the above, the Coordinator shall not be relived of liability to the Agency for damages sustained by the City, by virtue of any breach of the agreement by the Coordinator, and the City may withhold any payments to the Coordinator for purpose of set off until such time as the exact amount of damages due the City from the Coordinator is determined.
- P. Termination of Contract for Convenience. Either party may terminate this Agreement at any time by giving written notice of such termination and specifying the effective date thereof, at least fifteen (15) days before the effective date such termination. If the Agreement is terminated by the City as provided herein, the Coordinator will be paid an amount based on the time and expenses incurred by the Coordinator prior to the effective date of such termination.
- Q. Miscellaneous Terms.
 - a. This agreement shall comprise the entire agreement and shall supersede any and all other agreements between the parties, whether verbal and written.

- b. The laws of the State of Ohio shall control the validity, effect and interpretation of the Agreement.
- c. If any part, clause, provision or condition of this Agreement is held to be void, invalid or inoperative, such voidness, invalidity or inoperativeness shall not affect any other clause, provision or condition hereof; but the remainder of this Agreement shall be effective as though such clause, provision or condition had not been contained herein.
- d. Any notices of any communication required or permitted by this Agreement to be delivered to or served on either shall be deemed properly delivered to, served on, and received by other party when personally delivered to the party or in lieu of such personal service, when deposited in the United States mail, certified with postage prepaid, addressed to the party. Unless notified in writing otherwise, the following shall be used for notices.

City of Oxford

Chief John A. Jones
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

Coordinator

Peter M. Reising
4071 California Road
Okeana, OH 45056

With a Second Copy to:

Lt. Lara Fening
Oxford Police Department
11 S. Poplar Street
Oxford, OH 45056

- e. The parties agree that the approval and acceptance of this Agreement may be executed in any number of counterpart signature pages, all of which taken together shall constitute one and the same instrument, and any party or signatory hereto may execute its approval and acceptance of the Agreement by signing any such counterpart.

R. Prohibition Against Assignment. The duties and obligations under this Agreement may not be assigned by the Coordinator without the prior written consent of the City.

Now therefore, the parties by and through their authorized officers have executed this Agreement on the _____ day of _____, 2016.

Witness:

Peter M. Reising:

Witness:

City of Oxford:

Douglas R. Elliott, Jr.
City Manager

Approved as to form:

Approved as to content:

Stephen M. McHugh
Law Director

John A. Jones
Chief of Police

Agreement with Peter M. Reising dated October 1, 2016

CERTIFICATE

The undersigned Finance Director for the City of Oxford, Ohio, hereby certifies that funds to cover payment for services or supplies embodied in this contract are presently available or in the process of collection and that Council has appropriated money for this purpose, and it remains unencumbered.

Joe Newlin
Finance Director

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: September 20, 2016

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: Sep. 14, 2016

Agenda Title: Mutual Facilities License Agreement

Recommendation: Approve

Discussion:

The City of Oxford and Talawanda School District have been involved in the sharing of athletic facilities for many years. As of August 31, 2016 the previous five-year agreement between the two parties expired. Talawanda BOE and school officials have reviewed and signed a new one year license agreement for the 2016-2017 school year.

This agreement allows either party to utilize the other party's facilities for athletic teams, practices, games and other events. Charges for such usage, other than charges specific to personnel needs, are waived by both parties.

The City of Oxford Parks and Recreation Department utilizes Talawanda school facilities primarily for youth basketball, but also for other occasional events such as youth flag football. Talawanda utilizes City of Oxford facilities for practices and games for various sports teams as needed when Talawanda facilities are not sufficient to serve all of its teams.

By entering this agreement, both parties defray the costs of regular use of the other's facilities and allow for continued operation of programs and sports teams.

Approved By:

Department Head:

Initial Date

CDW \ 9/14/16

City Manager:

DRE \ 9/14/16

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TALAWANDA SCHOOL DISTRICT BOARD OF EDUCATION FOR COOPERATIVE USE OF PHYSICAL FACILITIES TO PROVIDE RECREATIONAL AND LEISURE TIME ACTIVITIES IN THE OXFORD COMMUNITY.

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

SECTION 1: The City Manager and the Parks and Recreation Director recommend the City Manager be authorized to enter into an agreement with the Talawanda School District Board of Education for cooperative use of physical facilities to provide recreational and leisure time activities in the Oxford community.

SECTION 2: Council accepts the recommendation of the City Manager and the Parks and Recreation Director and hereby authorizes the City Manager to enter into the Mutual Facilities License Agreement attached hereto as Exhibit "A" with the Talawanda School District Board of Education on behalf of the City for a period of one (1) year with the right to cancel the Agreement upon a sixty (60) day written notice of intent to terminate. This agreement replaces the 2011 agreement which expired August 31, 2016.

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)

Talawanda City School District / City of Oxford
Oxford, OH 45056

MUTUAL FACILITIES LICENSE AGREEMENT
2016-2017 School Year

I. PARTIES

This mutual license is entered into by and between the Talawanda School District, hereinafter referred to as "TSD" and the City of Oxford, hereinafter referred to as "CITY".

- II. The City and TSD agree to cooperate in the use of physical facilities, including buildings and playfields, located in the city and school district for recreational and leisure time activities since it is in the public's best interest to avoid duplication of services and facilities. The following is a list of buildings, playgrounds and playfields (the "Facility" or "Facilities") which are subject to the terms of this mutual license:

A. Buildings of the City or School District

Talawanda School District

City of Oxford

Talawanda High School
Talawanda Middle School
Marshall Elementary School
Bogan Elementary School

TRI Community Center
Senior Citizens Center

B. Playfields, Playgrounds or Other Related Facilities

Talawanda School District

City of Oxford

Talawanda High School
Talawanda Middle School
Marshall Elementary School
Bogan Elementary School

Municipal Pool
TRI Center Tennis Courts
Leonard Howell Field
Oxford Community Park

and any other playgrounds, playfields and related facilities that may be hereafter agreed upon in writing by both parties.

III. AVAILABILITY OF FACILITIES, PLAYGROUNDS OR PLAYFIELDS

Each of the parties herein agree to make available to the other the Facilities provided in Article II herein at times when said Facilities and grounds are not otherwise in use. Each party using a Facility agrees that it will observe and comply with the policies and regulations of the owner of the Facilities.

The City shall not use any of the Facilities owned and operated by TSD until it has received prior approval to use the Facility in accordance with TSD Policy. TSD shall not

The parties may mutually agree to make capital improvements to Facilities where both parties shall benefit from said improvement. Capital improvements are restricted to improvements to the land or Facilities, installation of stationary equipment and other improvements designed primarily to make the land or Facilities suitable for recreational use. Upon prior mutual agreement, the cost of the capital improvements may be shared by the parties. The items of expenses to be shared shall be limited to those approved in advance of the construction of the capital improvement.

VII. RESPONSIBILITY FOR SUPERVISION AND DAMAGES

The party using the Facilities shall be responsible for the conduct of all persons on said Facilities as a result of its use of the Facilities.

In addition, each party agrees that it will not permit the use of alcohol or drugs, nor will it permit any games of chance or gambling at or on the Facilities it is using.

Each party agrees that it will be responsible for providing adequate supervision when utilizing the other's Facilities. The selection of supervisory personnel shall be subject to the approval of the building principal of the TSD and the Director of Parks and Recreation of the City.

Each party agrees that it will be responsible for its own negligence and any damages to the Facilities or its contents which occur as a result of its use of said Facilities, ordinary wear and tear expected.

VIII. ARBITRATION

In case of any dispute arising as to the interpretation of this Agreement or the responsibility of either party thereto and the parties are unable to agree, the dispute shall be referred to arbitration pursuant to the rules of the American Arbitration Association.

XI. LIABILITY AND INSURANCE

Each party agrees that it will maintain liability insurance covering its use of the other's Facilities in an amount equal to \$1,000,000 individual \$2,000,000 aggregate. Each party agrees it shall provide to the other proof of insurance at the time of the execution of this Agreement.

X. Each party agrees that it shall not assign or transfer its interest in this Agreement to a third party without the prior written consent of the other party.

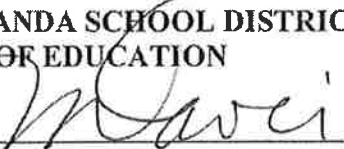
XI. If either party fails to comply with the terms and conditions of this Agreement, then at the option of the other party, this Agreement may be terminated and cancelled immediately.

XII. The laws of the state of Ohio shall in all respects, govern this Agreement.

XIII. This Agreement expresses the entire understanding of the parties. No modifications, amendment or alteration hereto shall be valid except as stated in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement this
_____ day of _____, 2016.

**TALAWANDA SCHOOL DISTRICT
BOARD OF EDUCATION**

By 
Michael S. Davis
CFO

By 
Mark Butterfield
President, Board of Education

CITY OF OXFORD

By _____
Douglas Elliott
City Manager

By _____
Casey D. Wooddell
Parks and Recreation Director

Exhibit A

City of Oxford / Parks & Recreation

Facilities Usage Fees 2016-17

Athletic Field Reservations

Field Reservations

\$30R / \$33NR – per game/each field
\$140R / \$160NR – full day/each field

Field Prep (drag, chalk, paint, etc.)

\$35R / \$39NR – per game/each field

Light Usage

\$30R / \$33NR – per hour/each field

Additional fees (if applicable)

Diamond Dry, Paint, Trash, Field Repair, etc.

these fees vary by year based on current product cost

Community Park Gazebo

\$30R / \$35NR – Up to 2 hours
\$50R / \$55NR – Up to 4 hours
\$60R / \$66NR – Over 4 hours

**Electric and water access available*

Park Shelter Reservations

\$25R / \$28NR – Up to 2 hours
\$40R / \$44NR – Up to 4 hours
\$50R / \$55NR – Over 4 hours

(R=Resident Fee, NR=Non-Resident Fee)

For reservations, contact (513) 523-6314 or parksandrec@cityofoxford.org.
Reservations are available March - October.

- *Alcohol and grills are not permitted on park grounds.*
- *Smoking is only permitted in parking lot areas.*
- *Concessions available for certain events, games and tournaments.*

TRI Community Center Gymnasium

\$35/hour reservation

No personnel charges necessary during normal business hours

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance

Originating Department

Council Meeting Of : 9/20/2016

Account Code No. : see below

Joe Newlin

Prepared By

Budgeted Amount : _____

9/14/2016

Date Prepared

Agenda Title: **2016 Supplemental Budget #8**

Recommendation: **Approve**

Issue 1

To make adjustment to amended budget for payment of OBBC Comercial Fees based on 3% of comercial permits approved, and 1% of residential permits approved

Action Needed:

Revenue Side

Board of Building Standards (414) 6,000.00 OBBC Comercial Fees Collected

Expense Side

Board of Building Standards (414) 6,000.00 Payment of OBBC Comercial Fees Collected

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

Issue 2

To make adjustment to amended budget for OVI Task Force Grant of \$224,917.

Action Needed:

Revenue Side

OVI Task Force Grant (419) 224,917.00 OVI Task Force Grant
OVI Task Force Grant (419) 224,917.00 Advance from General Fund
General Fund (110) 224,917.00 Repayment of Advance from OVI Task Force Fund

Expense Side

OVI Task Force Grant (419) 224,917.00 OVI Task Force Expenditures
OVI Task Force Grant (419) 224,917.00 Repayment of Advance to General Fund
General Fund (110) 224,917.00 Advance to OVI Task Force Fund

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

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

Breakdown by Fund

General Fund (110) -
Board of Building Standards (414) -
OVI Task Force Grant (419) -

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

Approved By:

Department Head:

City Manager:

Initials Date
DRE 9/15/16
DRE 9/16/16

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3335. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 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:

Board of Building Standards Fund 414	6,000.00
OVI Task Force Fund 419	224,917.00

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

General Fund 110	224,917.00
Board of Building Standards Fund 414	6,000.00
OVI Task Force Fund 419	224,917.00
OVI Task Force Fund 419	224,917.00

SECTION 4: The following advances(s) be executed:

Advance from:

General Fund 110	224,917.00
OVI Task Force Fund 419	224,917.00

Advance to:

OVI Task Force Fund 419	224,917.00
General Fund 110	224,917.00

SECTION 5: The following increase/(decrease) in revenues be made:

OVI Task Force Fund 419	224,917.00
General Fund 110	224,917.00

SECTION 6: In all other respects, Ordinance No. 3335 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 6, 2016

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 25, 2016

Date Prepared

Agenda Title: An Ordinance Repealing Oxford Codified Ordinance Chapter 729, Entitled "Vendors and Solicitors" And Adopting New Oxford Codified Ordinance Chapter 729, Entitled "Vendors and Solicitors".

Recommendation: Adopt the Ordinance.

Discussion:

The current vendors and solicitors ordinance was adopted in 1963 except for two sections. It prohibits door-to-door uninvited commercial solicitation. This provision has not been enforced for several years due to the fact that it is an unconstitutional infringement of free speech. Staff and I are proposing an update to this ordinance. The proposal includes a reasonable limitation on commercial and non-commercial solicitation hours from 9 AM to 9 PM. Also, it requires registration of credentials for commercial solicitors and a \$50 filing fee. There is a provision which prohibits solicitation of a residence if a no solicitation or similar worded sign is posted near the entrance.

Approved By:

Department Head:
City Manager:

Initial Date

 8-31-16

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 729, ENTITLED "VENDORS AND SOLICITORS" AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 729 "VENDORS AND SOLICITORS."

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

SECTION I: Chapter 729 of the Codified Ordinances of the City of Oxford, Ohio entitled Vendors and Solicitors establishes regulations for license requirements, exemptions, registration requirements, solicitors and peddlers on private residences, milk and food vendors, sales on certain municipal properties and penalties.

SECTION II: The purpose of Chapter 729 is to protect the health, safety, and welfare of the citizens of Oxford and it is in the best interests of the City to provide for regulations. City Council has determined that it would be in the best interests of the City to update Chapter 729.

SECTION III: City Council desires to protect the residential well-being, tranquility, and privacy of its residents by implementing certain curfews for door-to-door activity within the City.

SECTION IV: City Council desires to protect its citizenry from crime, through the efficient use of its limited law enforcement resources, utilizing proactive policing methods, and simultaneously fulfilling its mandatory obligations to balance its budget under Ohio Revised Code §5705.39 and otherwise responsibly conserve fiscal taxpayer resources.

SECTION V: City Council desires to protect its citizenry from crime and fraud perpetrated by criminals posing as door-to-door solicitors or canvassers, as well as protecting its citizenry from criminal activity in general through the use of proactive policing methods and the efficient use of its limited law enforcement resources.

SECTION VI: It is expressly acknowledged and understood Chapter 729 is being enacted in order to protect City citizens and is in compliance with the Sixth Circuit's decision in *Ohio Citizen Action v. City of Englewood*, 671 F.3d 564 (2012).

SECTION VII: Chapter 729 of the Codified Ordinances of the City of Oxford be and is hereby repealed in its entirety.

SECTION VIII: Chapter 729 "Vendors and Solicitors" is hereby adopted as follows:

CHAPTER 729 VENDORS AND SOLICITORS

729.01 DEFINITIONS.

As used in this chapter, unless a different meaning clearly appears from the context:

(a) "Commercial solicitation" and "commercial solicitor" means any person who calls at residences without the invitation or previous consent of the owner or occupant of such premises for the purpose of any one or more of the following activities:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services of any kind, character or description whatever, for either present or future delivery;
- (2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character;
- (3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other kind or type of publication;
- (4) Seeking to obtain contributions or to sell any goods, articles or services of any kind;

(b) "Non-commercial solicitation" and "non-commercial solicitor" means:

- (1) Seeking to obtain from an occupant of any residence an indication of such occupant's belief in regard to any social, political or religious matters;
- (2) Seeking to obtain contributions or sell any goods, articles or services of any kind for the support or benefit of any educational, civic, philanthropic, charitable, religious or non-profit association, organization, corporation or project;
- (3) Seeking to influence the personal belief of the occupant of any residence in regard to any social, political or religious matter; or
- (4) Taking a poll or census by any person, firm or corporation, other than a governmental body or agency thereof.

729.02 HOURS OF SOLICITATION REGULATED.

No commercial or noncommercial solicitation shall be conducted before 9:00 a.m. or after 9:00 p.m.

729.03 COMMERCIAL SOLICITING

No person shall enter upon the lot or land of any residence for the purpose of commercial soliciting as defined in Section 729.01(a)(1), (2), (3) and (4) unless such person has registered his or her credentials with the Manager as provided in Section 729.04.

729.04 REGISTRATION OF CREDENTIALS FOR COMMERCIAL SOLICITORS; APPLICATION FEE.

(a) Whoever desires to solicit for commercial purposes as defined in Sections 729.01(a)(1), (2), (3) or (4) shall have his or her credentials registered and shall file in duplicate with the Manager, or the Manager's designee, a written application on a form to be provided by the Manager correctly setting forth the following information:

- (1) The full name of the applicant;
- (2) Applicant's address;
- (3) Applicant's birthdate, height, weight and hair and eye color;
- (4) Whether or not Applicant uses a motor vehicle in Applicant's business, and if so, the make, model, year and current registration number thereof;
- (5) The state of issue of Applicant's driver's license and the number thereof;
- (6) The name and address of Applicant's employer;
- (7) A brief description of the goods, wares, merchandise or services involved.

(b) Concurrently with the filing of the application, the applicant shall pay a fee of \$50 to compensate for the costs incident to the examination, registration and issuance of stamped copies of credentials.

(c) Upon compliance of the foregoing provisions of this section, the City Manager or their designee shall forthwith stamp the original of the application as "Inspected and Registered" and deliver the same to the Applicant for identification purposes as hereinafter provided. Such application shall also be stamped with the date of expiration of the registration, which in each case shall be the close of the current calendar year.

(d) Possession of such stamped application shall not entitle the Applicant to enter upon any lot or land specified in Section 729.05 or between the hours of 9:00 p.m. and 9:00 a.m., nor shall such credentials be valid for the solicitation or sale of any goods or services not disclosed in the original application.

729.05 NOTICE PROHIBITING SOLICITATION.

Notice by the owner or occupant of any residence or place of business of the determination to refuse to receive any uninvited solicitors shall be given by displaying a weatherproof card, decal or sign, not less than two inches by three inches in size nor more than one square foot in total surface area, upon or near the main entrance door to the residence or place of business, indicating such determination by the owner or occupant, containing the words "No Solicitation," or words of similar import, with letters at least 1/2 of an inch in height. Any such sign that complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of this chapter, including, but not limited to, the Oxford Planning and Zoning Code.

729.06 SOLICITATION IN VIOLATION OF NOTICE.

It is hereby declared to be unlawful and shall constitute a trespass for any person to go upon any premises and ring the door bell upon or near any door, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence for the purpose of commercial or non-commercial solicitation in defiance of the notice exhibited at the residence in accordance with the provisions of Section 729.05, unless the commercial or noncommercial solicitor has been previously invited upon the premises by the owner, lessee, or an adult occupant thereof.

729.07 LEGAL ACTION.

Notwithstanding any penalty provided for under the terms of this chapter, the Director of Law or any resident of the City, or any other person, firm or corporation, partnership or other entity may commence a civil action in any court of competent jurisdiction against any person, firm, corporation, partnership or other entity who violates the provisions of this chapter. Such relief shall include any preliminary or permanent injunction to abate such nuisance and such other relief as the court may deem appropriate, including, but not limited to, reasonable attorney's fees, expenses and court costs.

729.08 FALSE INFORMATION; REVOCATION OF REGISTRATION; APPEALS.

(a) No person shall make any false statement or give any false or misleading information in the application required by Section 729.04.

(b) Should subsequent information disclose that an applicant has falsified any information required in such application, the City Manager or their designee shall forthwith revoke such registration and notify the holder thereof either in person or by certified mail of the action so taken. Such remedy shall be in addition to the penalty provided in Section 729.99.

(c) Any person whose registration is so revoked may, within ten days after receipt of the revocation notice, appeal to Council by filing with the Clerk a signed written statement briefly setting forth Applicant's ground of appeal. Council shall forthwith set a time and place for

hearing such appeal and give the Applicant due notice thereof by certified mail. The Applicant may appear before Council in person or by an attorney. The decision of Council thereon shall be final.

729.09 DISPLAY OF CREDENTIALS UPON REQUEST.

Every holder of registered and stamped credentials, when engaged in soliciting orders for or selling goods, wares, merchandise or services upon any lot or land shall, upon the request of any police officer, city official, or owner or occupant of such lot or land, exhibit for examination his credentials issued pursuant to the provisions of this chapter.

729.10 SALES ON CERTAIN MUNICIPAL PROPERTY PROHIBITED.

No person shall sell, offer to sell or solicit orders for goods, wares or merchandise for immediate or future delivery, or services to be furnished, performed or provided in the present or in the future, within parking meter zones or upon any municipally-owned or controlled property other than streets. This law shall not be applicable to nonprofit or charitable community organizations operating with the express consent of the Office of the City Manager and shall not apply to the lawful use of sidewalk space where such use is expressly authorized by the Codified Ordinances of Oxford, nor shall this section be applicable to the selling at a Farmers' Market of farm produce when such produce has been raised and grown by the vendors and provided that such selling has been specifically authorized and regulated by the Council. Any sale or use of alcohol on any municipally-owned or controlled property shall be approved by City Council.

729.99 PENALTY.

Any person, firm, partnership, association or corporation violating any provision of this chapter shall be guilty of a misdemeanor of the fourth degree for a first offense and a misdemeanor of the third degree for a subsequent offense.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY:

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: 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:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] \ 8/26/16
[Signature] \ 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.

(de) 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.

(fg) 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.

(gh) 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.

(hi) 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.

(ij) 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.

(jk) 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:

Department Head:

City Attorney:

City Manager:

Initial Date

9/10 *8/26/16*
J. A. Jones *8-31-16*

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 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: 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:

Department Head:

City Attorney:

City Manager:

Initial Date

gaf \ *8/26/16*
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)

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: 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:

Department Head:

City Attorney:

City Manager:

Initial Date

gaoj \ *8/26/16*
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."

~~(de)~~ "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;

~~(fg)~~ "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.

~~(hi)~~ "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)