



Agenda

Oxford City Council

Court House

TUESDAY, OCTOBER 4, 2011

EXECUTIVE SESSION

None.

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

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

REGULAR MEETING

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. Recognition - Liz Snyder - Kofenya.
- B. Recognition - Ryan Hoffner, Tyler Lindroth and Charlie Nuck.
- C. Proclamation - 'JoNell Rowan Day'



Proclamation

- D. Proclamation - 'Fire Prevention Week'



Proclamation

- E. Public Comments

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

4. Consent Agenda.

- A. Minutes of the September 20, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the September 7, 2011 Civil Service Commission Special Meeting. (Donna Heck, Human Resources Director)



Report

- C. Report regarding the September 15, 2011 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

- D. Report regarding the September 21, 2011 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- E. A Resolution authorizing the Police Division of the City of Oxford to retain for its use certain unclaimed property in its possession pursuant to Section 127.11 of the Oxford Codified Ordinances. (Bob Holzworth, Interim Police Chief)



Staff Report/Resolution

- F. A Resolution authorizing the City Manager to enter into an Agreement with Oce' North America for a 60-month lease of a Canon ImageRunner Advance C7065 color copier through State Contract pricing. (Kim Newton, Assistant to the City Manager)



Staff Report/Resolution

5. Resolutions.

1. A Resolution approving the Solid Waste Management Plan of the Butler County Solid Waste District. (Mike Dreisbach, Service Director).



Staff Report/Resolution

6. Ordinances.

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

1. An Ordinance To Amend Ordinance No. 3147 Regulating The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending May 31, 2014, By Authorizing Glenwood Energy Of Oxford, Inc. To Impose A Charge For Performing Pressure Tests Required By Rule 4901:1-13-05, Ohio Administrative Code. (Mike Dreisbach, Service Director).



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)



Staff Report/Ordinance

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

1. Remarks from City Council and City Staff.
- B. Future Meetings. (Note: Meetings will be held at the Court House unless otherwise indicated.)

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

WED - Oct 5 HAPC Meeting 7:30 p.m. Cancelled

THUR - Oct 6 Community Relations Commission Meeting 5:00 p.m. City Manager's Office

FRI - Oct 7 Student Community Relations Commission Meeting 3:00 p.m. LCNB

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

THUR - Oct 13 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

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

TUES - Oct 18 City Council Budget Work Session - Agency Funding 6:30 p.m.

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

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

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

THUR - Oct 20 City Council Budget Work Session 7:00 p.m.

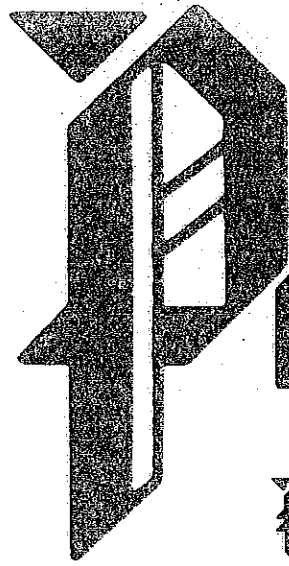
FRI - Oct 21 Student Community Relations Commission Meeting 3:00 p.m. LCNB

TUES - Oct 25 Board of Zoning Appeals Special Meeting 7:30 p.m.

WED - Oct 26 Civil Service Commission Meeting 7:00 p.m.

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

8. Adjourn.



Office of the Mayor

Proclamation

Whereas:

JoNell Rowan is retiring on September 30, 2011 after seven years of service to the Oxford Chamber of Commerce; and

WHEREAS, JoNell came to Oxford with her husband in 1993, and in her 18 years in Oxford, has raised three children and given her time and talents to the Kramer PTG; and

WHEREAS, JoNell has been an integral part of the Oxford community at large, serving on the Lane Library Board, and for various other civic and educational organizations; and

WHEREAS, JoNell has graciously opened her home to AFS students and visiting Miami families; and

WHEREAS, JoNell began her career with the Oxford Chamber of Commerce with a part-time job in a small Chamber office and shepherded its growth to the thriving organization it is today; and

WHEREAS, JoNell has created new programs for the Chamber including the new Chamber Travel Program, and has lent her tremendous organizational skills to Oxford's Wine and Art Affair, helping it become a premier event in Oxford; and

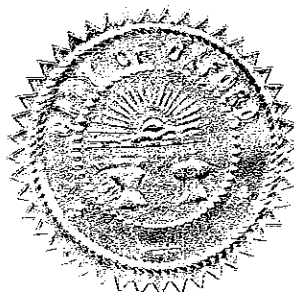
WHEREAS, over the years the Chamber of Commerce has received numerous compliments regarding the efficiency, competency, and professionalism displayed by JoNell in the community.

NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim Thursday, September 22, 2011 to be:

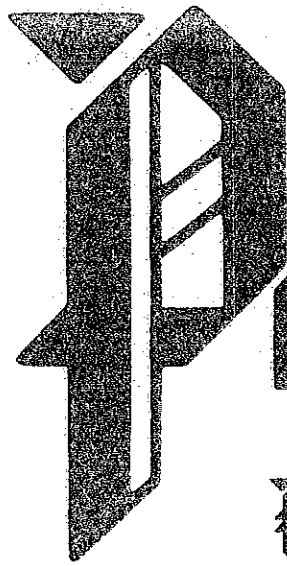
'JONELL ROWAN DAY'

in the City of Oxford and urge all citizens and fellow employees to congratulate her on her retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 22nd day of September, 2011.



RICHARD A. KEEBLER, MAYOR



Office of the Mayor

Proclamation

Whereas:

the City of Oxford is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk of fire; and

WHEREAS, nearly 3,000 people die each year as a result of home fires; and

WHEREAS, roughly two-thirds of home fire deaths resulted from home fires in which no smoke alarms or no working smoke alarms were present; and

WHEREAS, the National Fire Protection Association recommends at least one smoke alarm on every level of the home (including the basement) outside all sleeping areas, and in all bedrooms; and

WHEREAS, Oxford's first responders are dedicated to reducing the occurrence of home fires and home fire deaths and injuries through prevention and proper education; and

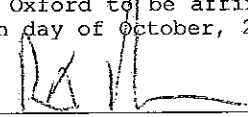
WHEREAS, the Fire Prevention Week 2011, October 9-15 theme, "It's Fire Prevention Week. Protect your Family from Fire!" effectively serves to remind us all of the simple actions we can take to keep our homes and families safe from fire during Fire Prevention Week and year-round.

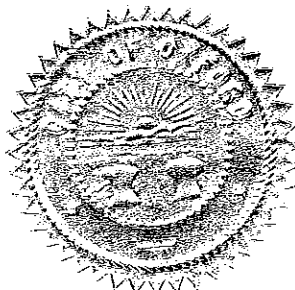
NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim October 9-15, 2011 as:

'FIRE PREVENTION WEEK'

throughout the city, and I urge all people of Oxford to protect their homes and families by heeding the potentially life-saving messages of Fire Prevention Week 2011, and to support the activities and efforts of Oxford's Fire and Emergency Medical Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 4th day of October, 2011.


Richard A. Keebler, Mayor



A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, September 20, 2011 at 7:00 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeenan.

Staff members present: Mr. Mike Dreisbach, Acting City Manager; Mr. Bob Holzworth, Interim Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Joe Newlin, Finance Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

Mayor Keebler addressed Council and the audience as follows:

‘There is a noticeable absence from our meeting tonight with the retirement of Police Chief Steve Schwein last Friday. Chief Schwein had been discussing his retirement with the City Manager for several months and last week informed the City Manager that September 16, 2011 would be his last day. It was his desire to retire quietly and without public fanfare and we are honoring that request. Steve served as Chief here for 21 years and under his direction the department established community policing, K-9 Officers, bicycle and motorcycle patrols, the Business Liaison Officer, Special Response Team, the Annual Pig Roast, Respect for Law Camp, the Police Advisory Board, Citizens Police Academy and Citizens on Patrol were all started under his watch. The Chief also leaves us with an excellent group of Police Officers and we certainly wish him the best in his retirement. The City Manager has already posted the position through national organizations and local newspapers. He will be looking inside and outside the Police Department and intends for the selection process to include assessment exercises and input from individuals representing a broad cross section of the community and hopes to have a new Chief on board before the new year. In the meantime, I want to welcome Interim Police Chief, Bob Holzworth to our meeting. We all know Bob from his many years serving on the Oxford Police Department and his work with the community and Council. I am sure he will serve us well until a new permanent Police Chief is appointed.’

PUBLIC PARTICIPATION

PRESENTATION

BUTLER COUNTY RECYCLING AND SOLID WASTE DISTRICT

Ms. Anne Fiehrer Flaig, District Coordinator, thanked Council for making time on the agenda for her presentation this evening. Ms. Fiehrer Flaig advised she had distributed to Council a CD containing the Solid Waste Management Plan Update and an Executive Summary of the Recycling Plan for Butler County. Ms. Fiehrer Flaig noted she would discuss highlights of the plan and the proposed changes and address any questions Council may have.

Ms. Fiehrer Flaig provided a PowerPoint presentation noting Solid Waste Districts were required to submit updated Management Plans to the Ohio EPA and Butler County had a 15-year Management Plan, updated every 5 years. Ms. Fiehrer Flaig advised the last update was ratified in 2005 and approved by elected officials representing 99% of the county population. Ms. Fiehrer Flaig noted the Solid Waste Management District was governed by the Ohio EPA, the Solid Waste Policy Committee and the County Commissioners. Ms. Fiehrer Flaig outlined the Solid Waste Plan Update schedule and advised the final plan was due to the OEPA by February 16, 2012. Ms. Fiehrer Flaig noted the Solid Waste District must demonstrate adequate disposal capacity for all waste generated in Butler County and must establish waste reduction strategies in compliance with the recycling goals of the Ohio EPA's State Solid Waste Plan. Ms. Fiehrer Flaig discussed waste reduction strategies including curbside recycling, drop box recycling and recycling incentive programs. Ms. Fiehrer Flaig discussed other provisions of the plan noting the County would provide technical assistance via website, direct mail and advertising and would implement programs to manage scrap tires, household hazardous waste and electronic waste. Ms. Fiehrer Flaig also discussed marketing and outreach strategies for residents, businesses and schools as well as annual grant programs.

Mayor Keebler thanked Ms. Fiehrer Flaig for her presentation and noted he felt Butler County was running an excellent program.

Mr. Rutherford inquired if all of the solid waste drop boxes were located in townships as opposed to municipal locations. Ms. Fiehrer Flaig advised no, and added that the City of Hamilton and the City of Fairfield installed drop boxes in public spaces such as golf courses and fire stations and the County paid the recycling insensitive to the municipalities based on tonnage collected at those locations. Mr. Rutherford noted problems occurred in Oxford at multi-family housing locations and inquired how many households a drop box was expected to serve. Ms. Fiehrer Flaig advised that was hard to estimate and noted Oxford desperately needed a drop box on the west side and she had identified some areas that would be suitable. Mr. Rutherford inquired about recycling opportunities within the school district which Ms. Fiehrer Flaig addressed. Mr. Rutherford inquired about recycling opportunities for compact fluorescent lights and Ms. Fiehrer Flaig advised those were accepted through the Household Hazardous Waste program as well as at local hardware stores.

Ms. Currie inquired if there was a program that incentivized composting. Ms. Fiehrer Flaig advised the Solid Waste District partnered with the Soil and Water Conservation District with regard to composting and noted the Solid Waste District was co-sponsoring a Composting Workshop on Thursday.

Mr. McKeehan inquired if major refuse haulers were willing and eager to accept expansion into the townships. Ms. Fiehrer Flaig noted her feeling contracting created a competitive market for the major haulers and enlisted other waste haulers to potentially join the fray. Ms. Fiehrer Flaig noted a market like West Chester or Liberty Township was a significant number of households and enlisting the power of the market place to create a competitive spirit for Rumpke would benefit the residents.

Mr. Bogard noted Oxford's percentage of recycled waste was 18% which did not include Miami University. Mr. Bogard inquired if Miami's Solid Waste Program was rewarded by the county.

Ms. Fiehrer Flaig advised the Solid Waste District secured a significant number of grants annually for the university.

Mayor Keebler advised a Resolution adopting the plan would appear on Council's next agenda.

PUBLIC COMMENTS

Mr. Tyler Elliott, advised he was representing the student group at Miami called Renew MU which focused on energy awareness and sustainability. Mr. Elliott advised they would hold an event called 'Ride to Renewal' on Saturday, October, 1, 2011 at 1:30 p.m. at the Oxford Memorial Park. Mr. Elliott noted a student speaker would give a brief statement followed by a bike ride through Uptown and Miami's Campus and they planned on this being a family event. Mr. Elliott noted his hope as Miami moved forward with alternative transportation initiatives that the City would also. Mr. Elliott invited everyone to participate in the event on October 1st.

CONSENT AGENDA

Mr. Rutherford requested removal of item B. Environmental Commission Meeting Report.

MINUTES

Minutes of the September 6, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the September 7, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

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

REPORT

Report regarding the September 7, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Rutherford advised the Municipal Energy Efficiency Sub-Committee was finalizing their report to the Service Director regarding alternative energy vehicles. Mr. Rutherford noted Council and the Planning Commission would need to review and consider alternative fueling stations as new vehicles were developed.

Mr. Rutherford referred to the report on page 16 of the agenda from the Storm Water Management Sub-Committee and strongly encouraged Council to review the document and consider a Work Session with the Environmental Commission in the near future to discuss how a Storm Water Management Plan could be further developed and the regulations enforced as development occurred within the City. Mr. Rutherford noted the City's Subdivision Regulations may need to reference the Storm Water Management Plan.

Mr. Bogard moved to accept the report from the September 7, 2011 Environmental Commission Meeting. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **ODOT LEGISLATION**

A Resolution No. 4632 authorizing the City Manager to sign the Final Resolution Agreement and enter into other contracts with the Ohio Department of Transportation to administer the improvements at the intersection of US Route 127 and State Route 73 (ODOT PID #81336) (Mike Dreisbach, Service Director)

Mr. Dreisbach discussed his staff report as presented on page 23 of the agenda noting the project had been identified in the Northwest Butler Transportation Study. Mr. Dreisbach noted ODOT would administer and manage the project; they had approved plans, and were ready to go out for bid. Mr. Dreisbach advised the current estimate for the project was 4.3 million dollars for a greatly improved and safer intersection. Mr. Dreisbach noted the old Huston Road would be relocated approximately 500 feet away from the intersection and turn lanes would be added to all legs of the intersection allowing traffic to move more freely, quicker and much safer.

Mr. Bogard advised this was one of four projects the City projected to fund with federal earmarked money and this project was originally expected to be complete two years ago. Mr. Bogard inquired if ODOT was still using toll revenue to help fund the project. Mr. Dreisbach advised 2.8 million dollars was 100% federally funded and ODOT was allowing surplus toll revenue credits to make up for what would be the City's local share. Mr. Dreisbach noted zero dollars from the City of Oxford would be applied to the project.

Mr. Rutherford advised the City of Oxford was the Local Public Agency (LPA) for the project and noted the LPA was responsible for any cost overruns. Mr. Rutherford inquired if the toll revenue credits could be extended to cover any cost overruns. Mr. Dreisbach advised the most likely scenario was that other federal earmarked funds would be applied to the project leaving fewer earmarked funds for the South 27 widening project. Mr. Rutherford advised the City had a water-main which occupied the right-of-way at the intersection. Mr. Dreisbach noted if the water main had to be moved it would be at the City's local cost. Mr. Dreisbach advised he did not believe the water- main would be impacted and noted staff would be on site to supervise the area.

Mr. Bogard moved to adopt Resolution No. 4632. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION **HAPC RULES OF PROCEDURE**

A Resolution No. 4633 repealing Resolution No. 4389 of the Rules of Procedure for the Historic and Architectural Preservation Commission and adopting the Rules of Procedure for the Historic and Architectural Preservation Commission. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the only change to the HAPC Rules of Procedure was to the meeting time from 7:30 p.m. to 6:00 p.m. Mr. Chen noted the commission felt changing the meeting time would still allow citizens to attend and voice their comments. Mr. Chen advised if there was a large caseload to be reviewed there would be sufficient time to do so.

Mayor Keebler noted he wondered about the need for Council to state the meeting time in the Rules of Procedure. Mayor Keebler suggested changing the language to read 'will meet the first Wednesday of each month at a time as determined by a majority of the HAPC.' so Council would not have to approve a simple change in the future.

Ms. Currie inquired if Council was required to approve changes to the Rules of Procedure for all Boards and Commissions and Mr. Chen advised yes.

Mr. Rutherford noted his concern that the Rules of Procedure document did not correlate with the HAPC Ordinance, Chapter 1331 of the Codified Ordinances. Mayor Keebler advised Mr. Rutherford to send his concerns to Mr. Chen and the HAPC. Mr. Rutherford advised he felt Council should request legal counsel to review and compare the documents and bring a report back to Council as to whether or not the documents correlated and whether or not they should be saying things twice. Mr. Bogard suggested Mr. Chen's office should compare the documents and see what needed to be done and to work with the HAPC to get it done. Mr. Rutherford noted the Rules of Procedure document should only deal with the Rules of Procedure and it did far more than that right now.

Mr. Bogard Called the question.

Mayor Keebler advised Mr. Rutherford to outline his points and submit them to staff and the HAPC as a starting point to the review the documents.

Mr. McKeehan moved to adopt Resolution No. 4633. Mr. Rutherford seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

AMENDING ORDINANCE NO. 3147

An Ordinance To Amend Ordinance No. 3147 Regulating The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending May 31, 2014, By Authorizing Glenwood Energy Of Oxford, Inc. To Impose A Charge For Performing Pressure Tests Required By Rule 4901:1-13-05, Ohio Administrative Code. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in April 2011 Council adopted Ordinance 3147 which regulated the rates and fees charged by Glenwood Energy. Mr. Dreisbach noted subsequent to that the Public Utilities Commission of Ohio (PUCO) was enforcing a rule that requires the company to do a pressure test on gas service lines that were dormant for 30 days or more. Mr. Dreisbach advised the procedure caught property owners and landlords off guard as service lines had been shut off and they did not expect to have the pressure test performed at a fee of \$80.00 that was not authorized to be charged. Mr. Dreisbach noted the City's attorneys met with the company's attorneys and Glenwood Energy agreed to refund the fees collected to the payers since the public did not have adequate notice to make an informed decision to shut off the gas or pay the monthly service charge over the summer. Mr. Dreisbach advised if Council adopted the proposed Ordinance customers would be required to pay the \$80.00 fee to Glenwood Energy for a pressure test if gas service was turned off for 30 days or longer. Mr. Dreisbach noted customers could use another certified company to perform the pressure test if they chose to. Mr. Dreisbach advised if Council amended the Ordinance customers would be able to make an informed decision of whether to keep the gas service on during periods of short-term vacancy.

Mr. Bogard inquired if the Ordinance would be in effect 30 days after the second reading and Mr. Dreisbach advised yes.

Mr. Harman inquired if Glenwood Energy had an educational program in place going forward and Mr. Dreisbach advised yes.

Mayor Keebler noted he felt this was a fair addition as the pressure test was a service Glenwood Energy was required to perform and when the Ordinance was adopted in April they were unaware of the requirement. Mayor Keebler advised this was a PUCO regulation not a local regulation.

Mr. Blackburn noted landlords could set up the account to roll back into their name when a tenant moved out and the service charge was \$7.34 a month to have gas service to the property.

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)

Mr. Newlin advised there were two issues that needed to be addressed by the proposed Ordinance. Mr. Newlin noted the City was applying for a grant through the Ohio Public Works Commission to rehabilitate College Avenue from High Street to Spring Street and if the grant was awarded the local match was \$105,000. Mr. Newlin advised he would need to certify that the money was available when the project was let out. Mr. Newlin advised income tax refunds through September were over budget by \$35,332 and if things kept pace it would be an additional \$34,868 through the end of the year. Mr. Newlin noted \$70,200 would be appropriated into the General Fund to cover the potential refunds. Mr. Newlin advised if the refunds were not necessary the money would go back to the General Fund.

ORDINANCES
SECOND READING

None.

ANNOUNCEMENTS

Ms. Currie advised everyone had a great time at the UniDiversity Festival last Friday and noted it was a perfect weather day. Ms. Currie advised she was excited about the Renew MU bike ride and encouraged those who participated in the Kinetics Festival to participate with their fun and creative bikes.

Mr. Bogard reminded the general public and Council Members about the OKI 2040 Transportation Plan Open House that would take place on Wednesday, September 28, 2011 at the Butler County Government Services Building from 4 to 7:00 p.m. Mr. Bogard noted the topics covered would include demographics, safety issues, congestion trouble spots and future transportation conditions throughout southwest Ohio. Mr. Bogard advised this was a walk-in program and no formal presentations would be given.

Mr. Harman thanked the Police and Fire Department employees who assisted in the arrest a couple of weeks ago during a disturbance Uptown which was shown on You Tube. Mr. Harman advised the City was authorized to have 18 Police Officers and as of right now there were 5 vacancies and the department was at 72% capacity. Mr. Harman noted his hope all 5 positions would be filled within 1-2 months.

Interim Police Chief Holzworth noted he reviewed the You Tube video and the potential was there for the disturbance to have turned into a terrible situation. Interim Chief Holzworth applauded the officers on duty who used great restraint during the situation by not using dogs or weapons and the situation was handled extremely well. Interim Chief Holzworth advised it was not unusual to see a large crowd on a Thursday, Friday or Saturday night and the department was not alarmed by it. Interim Chief Holzworth noted the department was a little short staffed right now and Lt. Horvath had done a great job of scheduling. Interim Chief Holzworth advised looking at the normal compliment of officers on Thursday, Friday and Saturday it was only a little below last year prior to 5 separations. Interim Chief Holzworth noted he and his staff would monitor the situation and staff-up as necessary. Interim Chief Holzworth advised he had a positive meeting with Miami's Police Chief and the Oxford Township Police Chief and help was only a radio call away if needed.

Mayor Keebler advised there was a full complement of officers on duty the night in question and they had the availability to call Miami or the Township for back-up if needed and didn't feel it was warranted. Mayor Keebler advised the City was filling 3 of the 5 Police Officer vacancies due to budget restraints.

Mr. Rutherford noted it was important to have the Police Department staffed properly and the problem was not the number of Police Officers on the street. Mr. Rutherford advised the problem was the response of some of the citizens to what was happening on the street.

Mr. Rutherford noted the problem was with persons trying to antagonize and provoke the crowd into some catastrophic action. Mr. Rutherford advised the problem was lack of citizenship among observers around the officers who were executing some arrests that night. Mr. Rutherford noted he was very disappointed in the citizens who weren't stepping up to be good citizens and rather were potentially inflaming the situation.

Mr. McKeehan noted he felt Mr. Rutherford's comments were very well put and he was also disappointed in the behavior displayed on the night in question.

Mr. McKeehan thanked former Police Chief Steve Schwein for his service to the City for over 21 years.

Mr. Blackburn noted the UniDiversity Festival was a great event.

Mr. Blackburn thanked Bob Holzworth for accepting the position of Interim Police Chief.

ADJOURN

Ms. Currie moved to adjourn at 8:47 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: October 4, 2011

Kim Newton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 21, 2011

Date Prepared

Agenda Title: Report regarding the September 7, 2011 Civil Service Commission Meeting.

Recommendation:

Discussion: The Civil Service Commission held a special meeting on Wednesday, September 7, 2011 at 7:00 p.m. Those members present were: Phil Russo, Chair; Susan Lipnickey, Karen Martino, Charles Crain and Mike Pavloff.

Donna Heck, Human Resources Director; Kim Newton, Recording Secretary; Chief Steve Schwein, Lt. Tom Horvath and Steve McHugh, Law Director were in attendance for the City.

The Commission discussed the reports from Ms. Heck regarding the timeline for the Police Officer examination, including a breakdown of information regarding the examination, such as pass/fail ratios and applicants with prior police experience.

The Commission also reviewed information provided by Ms. Heck regarding the "OPOTA", Ohio Peace Officer Training Academy, physical agility test given to the police applicants, including information on physical agility tests given to applicants in the past. The Commission approved the use of the "OPOTA" Physical Agility Test.

The Commission heard two appeals from Police Officer candidates, both relating to the physical agility test. After hearing the appeals, the Commission agreed to allow all candidates whom either failed or did not take the physical agility test to retake the test and instructed Ms. Heck to notify each of the candidates by phone and certified mail of the test date.

The next meeting is scheduled for Wednesday, September 28, 2011.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

Djh 9/28/11

DRE 9/30/11

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation
Originating Department

Council Meeting Of: October 4, 2011

Gail Brahier
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

September 26, 2011
Date Prepared

Agenda Title:	Recreation Advisory Board	9/15/11
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Recommendation:	N/A
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Discussion:

In attendance: Shaunna Tafelski, Brandy Darby, Mary Glasmeier, Council Rep. Ken Bogard, Gail Brahier, Deanna Barbour

Membership was discussed; the Board is awaiting notification from Talawanda School District on a second representative. Ms. Tafelski remains Chair through December 2011.

The Board discussed the Department's 2012 operating budget and C.I.P. requests. Ms. Brahier mentioned operating budgets were submitted at level funding once again. Ms. Brahier said she submitted capital improvements for general pool upkeep, replacement passenger van, and noted the aquatic center design is in the 5 year plan for 2014, but would need Council approval and direction to proceed once the time draws near. Mr. Bogard discussed the June visit to Richmond, Ky. to review their aquatic facility, noting they were making projected revenue and staff was very honest about what to do and what not to do in terms of development. Ms. Brahier distributed the current Oxford aquatic center brochure which was based on the 2006 feasibility study.

Mr. Bogard asked about the water problem at the Western entrance of the Senior Center. Ms. Brahier noted a contractor was addressing the issue within the next two weeks.

Fall programs were discussed. Ms. Brahier mentioned the Dept. will add a Pet Costume Contest on Thursday Oct. 27, at 6 pm, along with other activities which take place before the Lion's Club Parade at 7 pm. Ms. Glasmeier said OxDog will judge the contest.

Continue~

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

GB 9/26/11
DGE 9/30/11

Ms. Brahier reminded Ms. Tafelski the Holiday Festival is Dec. 2 and the Chair of the Recreation Advisory Board will introduce the new Mayor. Mr. Bogard mentioned the five candidates running for City Council, adding there are three vacancies for next term.

Discussion continued regarding possible change of venue for the July 3rd celebration to the Community Park. Mr. Bogard mentioned a section of High St. will be repaved next summer. Ms. Brahier said the MU airport has agreed to close July 3rd in the evening for the fireworks; the fireworks would need to be shot off from the southern soccer area and the street closed at this parking entrance. Mr. Bogard mentioned parking will need to be looked at. Ms. Brahier said there are 371 parking spaces available, we would allow parking along one side of Kay Rensch Drive, and adjacent neighbors could walk to the site. Ms. Brahier said she could limit the shell size and take out the 'titanium blasts' so the fireworks would not upset neighbors. Discussion continued regarding the parade and activities. Ms. Darby mentioned the parade could be a non-motorized parade through the park. Ms. Brahier noted the Dept. would send a letter to past parade participants to see what they thought about this concept.

Ms. Glasmeier noted OxDog has added two more benches at the park and two crates attached to the fence to keep the dog toys off the lawn for the mowers. She said Hueston Woods Dog Park is open which alleviates some of the heavy use from the Oxford Dog Park.

Ms. Tafelski will check to see if the December 15 joint TRI and Recreation Board meeting can include a tour of the new High School.

Next meeting Oct. 20 - 4 pm, Senior Center

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 4, 2011

Kathryn A. Dale

Account Code No. #:

Prepared By

Budgeted Amount:

September 22, 2011

Date Prepared

Agenda Title:	Board of Zoning Appeals Meeting Report – September 21, 2011
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Recommendation:	N/A
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DISCUSSION:

Public Hearing:

BZA-03-2011 221 E. Vine Street, Variance to Sections 1143.05(c)(1)A&B lot area/width; 1149.04(a)(3)(4) parking space location; 1149.04(b)(3) driveway location, *Don Thomas, Applicant, Agent*

The Appellant is proposing to demolish a nonconforming SF Lodging House that currently occupies eight people and reconstruct a two-family, with a compliant occupancy of four per unit. The property is zoned R2MS which allows for a two-family use. However, the existing lot does not meet the underlying requirements for a duplex. The adjacent lots are not large enough to acquire additional land without making a more nonconforming situation on those lots. The proposed two-family will meet all setback and lot coverage requirements. The other variance request is to allow the existing driveway to remain in its location on the property. The driveway is currently one-foot from the eastern property line. The Appellant would like to maintain the driveway setback, but is also asking that the driveway be permitted to abut the structures foundation.

Much of the Board's discussion was regarding the onsite parking and ensuring that all other district requirements were satisfied. Discussion also was had regarding the height of the building and that the new structure would characteristically fit with the surrounding properties.

Regarding the requested variances, the BZA made the following Findings of Fact:

- 1.) The property in question will yield a reasonable return and can be used beneficially without the variance because the property can continue to be used as a nonconforming lodging house per their housing agreement; however, to use the property to its highest and best use as a permitted two-family cannot be beneficially used without the variance because the existing lot does not meet the underlying zoning requirements for the lot width and area.
- 2.) The request for one (1) foot driveway setback from the property line and zero setback from the structure is not substantial because the driveway is currently in this location on the property. Additionally the house is essentially located on the same footprint and meets all of the lot coverage and setback requirements.
- 3.) The essential character of the neighborhood would not be substantially altered by the variance and the adjoining properties would not suffer a substantial detriment as a result of the variance because there are currently eight occupants on the property and there would be no increase to off-site parking constraints.
- 4.) There were no comments received from the various City Departments indicating any detrimental effect on government services.
- 5.) The owner has owned the property for over 15 years as a nonconforming use and was aware of the requirements and that a variance would be necessary.
- 6.) The property owner's predicament cannot feasibly be obviated other than a variance because the lot is unchangeable, the adjoining lots are developed and there is no additional land to acquire.
- 7.) The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variance to Sections 1143.05(c)(1)A&B; 1149.04(a)(3)(4); and 1149.04(b)(3) and voted 5-0-0 to **APPROVE** the application as presented.

BZA-04-2011 22 S. Beech Street, Mesler Auto Body, Variance to Sections 1151.05(a)(2)A.1.a wall sign shall be no more than 3 feet in height, Randy Adams, Applicant, Agent

The Appellant is proposing to install a 4' x 10' wall sign on the Beech Street facing wall of a body shop. Currently, there are two existing wall signs and a pole sign on the property. The pole sign is grandfathered and nonconforming. The property is allowed to have three wall signs per 1151.03(a)(2)A.1.c. because of the double frontage. The variance request is strictly for the height of the sign. Staff shared that the HAPC approved the design of the sign in both a 3' and 4' height at their August meeting.

Discussion was had regarding the Economic Development Director's comments received and the relation of the sign setback from S. Beech Street. Much of the discussion was had regarding the size of the wall and the need for a slightly taller sign to look proportionately correct.

Regarding the requested variances, the BZA made the following Findings of Fact:

- 1.) The property in question will yield a reasonable return and can be used beneficially without the variance because the property can continue to be used as an auto body shop and signs currently exist on the building; furthermore, the business will still be able to have this additional sign even if the variance is denied.
- 2.) The request for one (1) additional foot in height is not substantial as it relates to the size of the wall in which it will be located and the distance it is from the street. (83' from S. Beech Street property line; 99'-101' from S. Beech Street curb)
- 3.) The HAPC determined in August that the essential character of the neighborhood would not be substantially altered by the variance and the adjoining properties would not suffer a substantial detriment as a result of the variance by approving the sign for the Uptown Historic District.
- 4.) There were no comments received from the various City Departments indicating there would be a detrimental effect on government services.
- 5.) The property has been in the family for over 40 years and there was no testimony given as to whether the current managers and owners were aware of the zoning requirements.
- 6.) The property owner's predicament cannot feasibly be obviated other than a variance due to the visibility distance.
- 7.) The spirit and intent of the sign requirement would be observed and substantial justice done by granting the variance because the sign is setback so far from the road that the height increase will not appear to be substantial.
- 8.) Other relevant factors included the Economic Development Director's report and the HAPC's decision to approve a 4 foot high sign in the historic district.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variance to Sections 1151.05(a)(2)A.1.a and voted 5-0-0 to **APPROVE** the application as presented.

Old Business: None.

New Business None.

The October meeting has been changed to October 25, 2011. Two cases are scheduled to be heard. The October meeting was changed in order to have a full board present.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JHC / 9/25/11

DRE / 9/30/11

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

Police

Originating Department

Council Meeting Of: October 4, 2011

Steve Schwein

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 16, 2011

Date Prepared

Agenda Title: Resolution Authorizing Certain Property held by the Oxford Police Department be declared of use by the City of Oxford.

Recommendation: Approve

Discussion: Certain items currently in the possession of the Property Division of the Oxford Police Department are of use to the City of Oxford. These items have no evidentiary use and have been forfeited by the owner per court order. Therefore, it is the request of the Chief of Police that these items be released to the City of Oxford for use in general business. A list of the items being recommended for City use is attached.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SDS \ *9/16/11*

DRK \ *9/30/11*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE POLICE DIVISION OF THE CITY OF OXFORD TO RETAIN FOR ITS USE CERTAIN UNCLAIMED PROPERTY IN ITS POSSESSION PURSUANT TO SECTION 127.11 OF THE OXFORD CODIFIED ORDINANCES.

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 that certain unclaimed property set forth in Exhibit 'A' attached hereto and incorporated herein, be retained and used by the Police Division of the City of Oxford pursuant to Oxford Codified Ordinances Section 127.11.

SECTION 2: Council having reviewed the list of unclaimed property set forth in Exhibit 'A' attached hereto and incorporated herein, finds it will be beneficial to the Police Division of the City for this unclaimed property to be retained, and hereby authorizes the Police Division's retention and use of said items.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD, BUTLER COUNTY, OHIO

IN THE MATTER OF THE : No _____
APPLICATION OF THE :
CITY OF OXFORD : APPLICATION FOR AND JUDGMENT
POLICE DEPARTMENT : ENTRY AUTHORIZING THE DISPOSITION
: OF UNCLAIMED OR FORFEITED PROPERTY

Now comes the State of Ohio, City of Oxford, by and through Area I Butler County Court Prosecutor, and moves that the following property be disposed of in accordance with the Ohio Revised Code Section 2981.12.

SEE ATTACHED SHEETS FOR PROPERTY...

Said property is now in the custody of the Oxford Police Department, Oxford, Ohio, and remains unclaimed or it is unlawful for persons to acquire or possess said property.

9/14/2011
Date

Mike O'Leary
Mike O'Leary
Property Technician, Oxford Police Department

Motion to forfeit to the Oxford Police Department and may be used by the Oxford Police Department is requested.

Respectfully submitted,

9/14/11
Date

Jessica M. Rodley
Prosecuting Attorney, Area I Butler County Court

ORDER

For good cause shown, it is hereby adjudged and ordered that the above listed property be disposed of as listed above.

9/14/11
Date

Robert H. Lyons
Judge, Area I Butler County, Ohio

IN AREA I BUTLER COUNTY COURT

Memorandum

To: Chief Stephan Schwein
From: Property Technician Mike O'Leary
Date: September 19, 2011
Re: Property Use by City of Oxford

The following items are in the possession of the Oxford Police Department and are no longer of evidentiary use to the Division of Police. The property was forfeited by the owner per court order and it is of use to the Division of Police. I recommend that they be accepted through a Council resolution.

Red .45 ammo box with 25 hollow point rounds
Green Kurz box with 25 rounds
Red 9 mm ammo box with 41 rounds
Red .380 ammo box with 40 rounds
Red .45 ammo box with 39 rounds
Wolf 9 mm ammo box with 50 rounds
175 Winchester 12 ga. shotgun shells
23 Remington Steel 12 ga. slugs
16 Remington 30-30 rifle rounds
20 Winchester Super X 30-30 rounds
One box of Federal ammo containing three (3) 12 ga. slugs
One box of Federal ammo containing ten (10) 12 ga. slugs
4 boxes of Federal .308 rifle rounds

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager
Original Department

Council Meeting Of: 10/4/2011

Account Code No. #: MIS Printing
&
Reproduction

Kim Newton
Prepared By

Budgeted Amount: 22,100

9/27/2011
Date Prepared

Agenda Title:	Lease Agreement for Canon ImageRunner Advance C7065 Color Copier
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Recommendation:	Approve
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Discussion: The Canon ImageRunner Advance C7065 Color Copier from OCE' North America will replace our current Sharp MX-7000N color copier.

The current lease for the Sharp copier is \$447 per month and the maintenance cost is \$276 per month with overage costs at \$0.009 per B&W copies and \$0.077 for color copies. The maintenance costs are increased approximately ten percent annually. The average monthly payment is currently **\$723 per month**.

The new lease and maintenance agreement for the Canon ImageRunner would be locked in for 60 months at **\$683 per month** with overage costs of \$0.005 per B&W copies and \$0.05 per color copies.

The current maintenance and the proposed maintenance agreement include 20,000 B&W copies and 850 color copies per month.

The new lease and maintenance agreement with OCE' would offer an average savings of \$40 per month.

Please note, this copier (Canon) and vendor (OCE') falls under the Ohio State Term Schedule (State Contract pricing), schedule number 800088-19.

Approved By:	Initial	Date
	Department Head:	/
	City Attorney:	/
	City Manager	<u>DKK 9/30/11</u>

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH OCE' NORTH AMERICA FOR A 60-MONTH LEASE OF A CANON IMAGERUNNER ADVANCE C7065 COLOR COPIER THROUGH STATE CONTRACT PRICING.

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

SECTION 1: The City Manager has reviewed information submitted for the replacement of the existing copier equipment and has recommended that the current copier equipment be replaced with the Canon ImageRunner Advance C7065 color copier.

SECTION 2: The City Manager has recommended that the City enter into a 60-month lease with Oce' North America for the Canon ImageRunner Advance C7065 color copier through State Contract pricing at a monthly cost of \$ 683.00 with overage costs of \$ 0.005 per black and white copies and \$ 0.05 per color copies. It is anticipated that this lease agreement would result in an average savings of \$ 40 per month over the lease for the current Sharp copier.

SECTION 3: Council having reviewed the City Manager's recommendation, hereby authorizes the City Manager to enter into an Agreement with Oce' North America for a 60-month lease of the Canon ImageRunner Advance C7065 color copier.

SECTION 4: Funds have been appropriated in an amount in excess of the annual cost authorized.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: October 4, 2011

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

September 21, 2011
Date Prepared

Agenda Title: Resolution of Support for the Butler County Solid Waste Management Plan Update

Recommendation: Approve

Discussion:

The Staff of the Butler County Solid Waste Management District presented their Management Plan Update to the City at the September 20, 2011 City Council meeting. Highlights of the Plan include the following:

- Butler County waste generation fees will remain steady at \$2 per ton
- There is adequate landfill space to meet the County's needs through at least 2025
- Recycling incentive funds will be reduced from \$22/ton to \$16/ton – lowering our recycling revenue by ~ \$5,000
- One time grant opportunities will be offered for "Pay As You Throw" programs in Butler Co. cities.

Details of the Updated Plan are attached as an executive summary prepared by Butler County staff.

Each community in Butler County will be asked to ratify the updated plan. The deadline to act on the plan is October 26, 2011.

Approved By:

	<u>Initial</u>	<u>Date</u>
Department Head	<u>MBD</u>	<u>9/21/11</u>
City Manager	<u>MLG</u>	<u>9/20/11</u>

RESOLUTION NO.

A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE BUTLER COUNTY SOLID WASTE DISTRICT.

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

SECTION 1: Pursuant to the provisions of Chapter 3734, Ohio Revised Code (the "Act"), the Butler County Solid Waste Management Policy Committee (the "Policy Committee") has adopted a Revised Solid Waste Management Plan (the "Plan") for the Butler County Solid Waste Management District (the "District").

SECTION 2: Pursuant to Chapter 3734, all political subdivisions within the District must approve or disapprove the proposed Plan by Ordinance or Resolution and successful ratification requires approval of the proposed Solid Waste Management Plan by political subdivisions representing at least 60% of the District's population.

SECTION 3: Council having determined the Revised Plan is in the best interests of its constituents and the citizens of Butler County hereby approves the Revised Solid Waste Management Plan.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)



Introduction

The Butler County Recycling and Solid Waste District (District) will submit its updated Solid Waste Management Plan to all cities, villages and townships in Butler County for approval. This approval process, also known as ratification, is the final step before the District seeks final approval from Ohio EPA to implement this new Plan.

Your Community's Responsibility – Plan Ratification

Each community within Butler County will be asked to approve the District's Solid Waste Management Plan during the period of July 29, 2011 through October 26, 2011 (ratification period). The process requires each community to: review a copy of the Plan, act on the Plan during the ratification period (90 days) and submit a certified copy of the resolution or legislation to the District. Failure to act on the plan is considered by the State of Ohio to be a negative vote.

What if the Plan is Not Ratified?

If local ratification does not occur, the Director of Ohio EPA is required by state statute to prepare a Solid Waste Plan for the District and order the District to implement the state's plan. This could negatively affect the District because local control of our Plan would be relinquished to Ohio EPA. The Plan you will vote on was developed through a local planning process and contains the recommendations, programs and initiatives from the District's Policy Committee. These programs and initiatives will provide for a cost effective and environmentally sound solid waste management system for Butler County and are designed to enhance and expand recycling opportunities and recycling participation. The District urges communities to learn more about the Solid Waste Management Plan in order to make an informed decision.

Executive Summary of Solid Waste Management Plan

The following executive summary of the Solid Waste Plan has been created for elected officials in Butler County to demonstrate how the District's Solid Waste Plan benefits each community. The District offers a wide variety of programs and initiatives that offer real value to its communities. The District provides award winning programs and is a leader in solid waste management programming for hard to manage materials such as household hazardous waste, batteries, scrap tires, electronics, and Freon containing appliances. The District also offers a variety of grants, assists communities with trash and recycling contracts with private sector haulers, operates a highly successful education and awareness program, a pollution prevention program serving the industrial sector, and other effective solid waste management programs.

Solid Waste Disposal Capacity

This demonstration is one of the fundamental requirements of the Solid Waste Plan. The District conducted a regional capacity analysis and has demonstrated that there is sufficient disposal capacity for all solid waste generated by District residents, businesses, and industry for the planning period (2011-2025).

Goals

The District meets or exceeds all of the State Solid Waste Management Plan goals as required by Ohio EPA. The District has demonstrated that over 90% of the population in the county has access to recycling through curbside recycling and drop-box recycling stations located throughout Butler County.

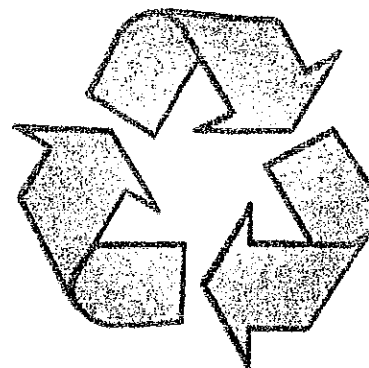
Financing the Plan

The District will finance the updated Solid Waste Plan through the continued reliance on a generation fee, which is \$2.00 per ton for all solid waste landfilled in Ohio by District residents and businesses. The District is not projecting any increase in the generation fee throughout the planning period (2011-2025). The generation fee costs an average of \$2.50 per person per year.

Residential Recycling Programs

The District promotes and supports numerous residential recycling programs and offers special collection services to maximize diversion of solid waste from landfills. From 2006 - 2010, the following programs were offered:

- 13 Curbside Recycling Program – 48,159 tons recycled
- 32 Full Service Recycling Drop Off Programs – 4,407 tons recycled
- 164 Paper Recycling Drop-off Programs – 8,878 tons recycled
- Household Hazardous Waste Management – 598 tons recycled
- Household Battery Recycling – 30 tons recycled
- Scrap Tire Recycling – 603 tons recycled
- Electronics Recycling – 627 tons recycled
- Freon Appliance Recycling – 365 tons recycled
- We Got Plans for Your Bottles and Cans – 1 ton recycled



Residential / Commercial / Industrial Grant Programs

- **Residential Recycling Incentive** - The District awarded over \$519,261 to area communities to support recycling.
- **Recycling Incentive Grants** - \$20,000 awarded annually to area businesses, schools and community organizations to begin or expand existing recycling programs.

Grant Awards from State Funding Sources

- **ODNR Market Development & Community Development Grant Program** - Leveraged over \$576,500 in state funding from 2006-2010 to support recycling infrastructure and market development projects at local businesses.

Commercial / Industrial Recycling Programs

- **Southwest Ohio Pollution Prevention Program (P2)** – A regional collaboration with Hamilton County Recycling & Solid Waste District serving the manufacturing sector with skilled engineering students for a 12-week summer internship.
- 13 Yard Waste Management Operations – 29,000 tons recycled
- County Office Recycling – 300 tons recycled
- Commercial Recycling – 77,000 tons recycled
- Industrial Recycling – 495,000 tons recycled
- Material Recovery Facilities – 600 tons recycled

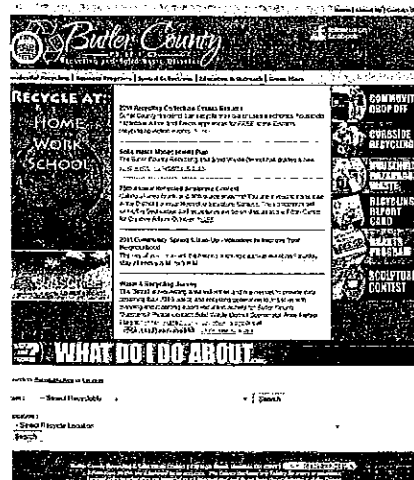
Residential/Commercial Education and Awareness Programs

- Website
- Presentations and events conducted
- District Newsletters
- Recycle to Win – Residential Recycling Incentive Program
- "Know Before You Throw" & Special Collection Promotions
- Environmental Education Presentations (K-12)
- Recycled Sculpture Contest (open to elementary students)
- EcoProgram Guide & Ecolibrary for area teachers

Other Programs

- **Solid Waste Assessments** – provided at no charge to area businesses and industry.
- **Roadside Litter Collection Program** – removing an average of 28,737 lbs. of litter and debris from 1,000 miles of county roads annually.

For more information, contact the District at 513-887-3963 or visit www.butlercountyrecycles.org.



RECYCLE... It's easy to do!

Butler County Board of Commissioners: Charles R. Furmon • Donald L. Dixon • Cindy Carpenter

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 20, 2011

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

September 12, 2011

Date Prepared

Agenda Title: Amending Ordinance No. 3147 to Allow Glenwood Energy of Oxford, Inc. to Collect a Fee for Gas Service Line Pressure Testing

Recommendation: Approval

Discussion:

City Ordinance No. 3147, adopted April 19, 2011, regulates the rates and prices to be charged by Glenwood Energy of Oxford, Inc. (Company) in conjunction with an Order of the Public Utilities Commission of Ohio (PUCO) in Case No. 06-350-GA-CMR. The City, through our law director and our consulting energy attorney (Bell & Royer Co., LPA), negotiated a new rate Ordinance that keeps local rate controls in place as dictated by the Oxford City Council versus defaulting to the PUCO.

Subsequent to the adoption of the Ordinance, the Company learned that PUCO would be enforcing pressure testing requirements for service lines that had been dormant for more than 30 days. This test ensures that the gas service line and appliances in the structure are sound, and that it is safe for the Company to resume gas service to the user. The Company has requested the City approve a fee of \$80 for this test to recover the Company's costs in providing the test. The fee has been found to be reasonable when compared to other utility company fees. In the event that a structure fails the pressure test, the owner will have the opportunity to make repairs and the Company will perform one additional pressure test at no additional charge. No other changes in the Ordinance are being proposed.

Any funds the Company has collected to date for pressure testing will be returned to the payer as the Company did not have the authority to collect this fee. Now that this issue has been properly addressed, owners will have the information necessary to make informed decisions as to keeping or suspending gas service to buildings during periods of vacancy.

It shall also be acceptable to have a third party perform line pressure testing so long as the approved inspector follows the Company's testing procedure and adheres to Ohio Administrative Code 4901:1-13-05.

This modification to Ordinance No. 3147 changes no other aspects of the Ordinance. It is also noted that the Company may still collect a fee of \$50 to reconnect service – this fee is in addition to service line pressure testing.

Approved By:

Department Head:

Initial

Date

MD

9/12/11

City Manager:

DRE \ 9/16/11

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 3147 REGULATING THE RATES AND CHARGES TO BE CHARGED AND COLLECTED AND THE SERVICES TO BE RENDERED BY GLENWOOD ENERGY OF OXFORD, INC., ITS SUCCESSORS AND ASSIGNS, FOR GAS AND GAS SERVICE FURNISHED TO ALL OF ITS CUSTOMERS WITHIN THE CORPORATE LIMITS OF THE CITY OF OXFORD DURING THE PERIOD ENDING MAY 31, 2014, BY AUTHORIZING GLENWOOD ENERGY OF OXFORD, INC. TO IMPOSE A CHARGE FOR PERFORMING PRESSURE TESTS REQUIRED BY RULE 4901:1-13-05, OHIO ADMINISTRATIVE CODE.

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

- SECTION I: On April 19, 2011, Council of the City of Oxford adopted Ordinance No. 3147 regulating the rates and charges to be charged and collected by Glenwood Energy of Oxford, Inc. (the "Company") for natural gas service furnished to customers within the City of Oxford ("City") for the period ending May 31, 2014.
- SECTION II: Pursuant to Ordinance No. 3147, the Company is subject to the Minimum Gas Service Standards of the Public Utilities Commission of Ohio ("PUCO") set forth in Chapter 4901:1-13, Ohio Administrative Code ("OAC").
- SECTION III: Subsequent to effective date of Ordinance No. 3147, the PUCO staff, as a result of a pipeline safety audit, advised the Company that it was not in compliance with Rule 4901:1-13-05(A)(3)(c), OAC, which requires that a pressure test be performed on the piping downstream of the meter prior to reestablishing service when service has been disconnected for thirty days or more.
- SECTION IV: Historically, many landlords that rent to students have requested that natural gas service to their rental properties be disconnected during the summer months, which means that the total annual cost to the Company of performing the required pressure tests may be significant.
- SECTION V: Ordinance No. 3147, as enacted, does not authorize the Company to impose a charge for performing such tests.
- SECTION VI: In the interest of safety, it is important that such tests be performed; and Although the customer may engage a qualified third-party to perform such tests, having the Company perform such tests at the time the service is to be reconnected may be more convenient from the customer's standpoint.

SECTION VII: Paragraph 9 of Section 1 of Ordinance No. 3147, entitled “Miscellaneous Charges” shall be amended by adding the following provision as Paragraph 9.i. Pressure Test Fee :

i. Pressure Test Fee. The Company shall offer to perform the pressure test required by Rule 4901:1-13-05(A)(3)(c), OAC, as a condition of reestablishing service in instances where service has been disconnected for thirty (30) days or longer. The Company may charge and collect a fee of \$80.00 for performing such pressure test, such fee to be in addition to the \$50.00 reconnection fee authorized in Paragraph 9.e of this Section. If the piping fails the pressure test, the owner of the premises shall be responsible for all necessary repairs. Upon a request by a customer for a voluntary disconnection of service to a premises, the Company shall advise the customer of the pressure test requirement that must be satisfied prior to reestablishing service and that, if the Company performs the pressure test, the \$80.00 pressure test fee will apply.

SECTION VIII. Ordinance Otherwise Unaffected. The amendment adopted by this ordinance shall have no effect on any other provision of Ordinance No. 3147, all of which shall remain in force and effect.

SECTION 1X. Company Acceptance of Ordinance. If the Company accepts this ordinance, the Company shall file a written acceptance of this ordinance with the Clerk of the City within thirty (30) days after its passage by Council and this ordinance shall constitute a contract between the City and the Company. If the Company does not accept this ordinance, the Company shall file a complaint and appeal from this ordinance with the PUCO pursuant to Section 4909.34, ORC, within (30) days after its passage. If the Company does not file a written acceptance of this ordinance with the Clerk of the City within thirty (30) days after its passage and does not file a complaint and appeal from this ordinance with the PUCO within (30) days after its passage by Council, the Company shall be deemed to have accepted this ordinance and shall be bound by its terms as if it had filed a written acceptance.

SECTION X. Effective Date. This ordinance shall take effect at the earliest time allowed by law.

Mayor

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance
Originating Department

Council Meeting Of :

Joe Newlin

Account Code No. :

see below

Prepared By

Budgeted Amount :

Date Prepared

Agenda Title:	2011 Supplemental Budget #3
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Recommendation:	Approve
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Issue 1

OPWC Grant for College Avenue - High to Spring
\$395,000 Grant with a \$105,000 match

Action Needed:

Revenue Side

N/A

Expense Side

Capital Improvement Fund 141	105,000.00	Increase for city's match of projected costs (unencumbered balance)
Net Effect on Fund Balance/(s) Increase/(Decrease)	(105,000.00)	

Issue 2

Higher than expected income tax refunds
\$35,332 through September \$34,868 through end of the year

Action Needed:

Revenue Side

N/A

Expense Side

General Fund 110	70,200.00	Increase for income tax refunds through December (unencumbered balance)
Net Effect on Fund Balance/(s) Increase/(Decrease)	(70,200.00)	
Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(175,200.00)	

Breakdown by Fund

General Fund 110	(70,200.00)
Capital Improvement Fund 141	(105,000.00)
Net Effect on Fund Balance/(s) Increase/(Decrease)	(175,200.00)

Approved By:

Department Head:

City Manager:

Initials

Date

<u>[Signature]</u>	<u>9/16/11</u>
<u>DRE</u>	<u>9/16/11</u>

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3130. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2011.

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 appropriations from unencumbered balances be made:

General Fund 110	70,200.00
Capital Improvement Fund 141	105,000.00

SECTION 4: In all other respects, Ordinance No. 3130 shall remain in full force and effect.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)