



Agenda

Oxford City Council

Court House

TUESDAY, OCTOBER 16, 2018

EXECUTIVE SESSION

None.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Proclamation – “Year of the Bird”.



Proclamation

B. Swearing-In – Jared Baker, Firefighter/Paramedic, Blake Olson, Firefighter/Paramedic, Thom Radomski-Bomba, Firefighter/Paramedic. (Steve McHugh, Law Director)

C. Notice to Legislative Authority – New permit for Fridge & Pantry, Inc. DBA Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)



Notice

D. Notice to Legislative Authority – Stock Transfer for Oxford Oil Service Co. DBA KDS Express 4985 College Corner Road Unit A Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)



Notice

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 October 2, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Minutes of the October 10, 2018 City Council Work Session. (Doug Elliott, City Manager)



Minutes

C. Report regarding the October 3, 2018 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

5. Resolutions.

1. A Resolution of Council authorizing alcoholic beverages to be served free of charge at a private event on October 19, 2018 held for “Members Only and Invited Guests” at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056. (Doug Elliott, City Manager)



Staff Report/Resolution

2. A Resolution accepting the recommendation of the Facility Naming Review Committee and naming the new aquatic facility slated to open in 2019 “Oxford Aquatic Center”. (Casey Wooddell, Parks and Recreation Director).



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into a service agreement with the Butler County Public Defender Commission to provide legal counsel to indigent persons charged with violations of Municipal Ordinances for the year 2019, and thereafter under certain terms and conditions. (Doug Elliott, City Manager).



Staff Report/Resolution

4. A Resolution authorizing the City Manager to enter into an agreement with Friends Service Company, Inc. for the purchase of specified furnishings for the new Police Division Headquarters located at 101 E. High Street through State Contract pricing at a cost of \$126,104.25 plus a contingency amount of ten percent (10%) of the contract price or \$12,610.43 for a total cost not to exceed \$138,714.68. (Mike Dreisbach, Service Director).



Staff Report/Resolution

5. A Resolution determining the total cost of the assessment by lot, authorizing the list of assessments by lot to be filed with the Clerk of City Council and ordering the same be opened for public inspection and authorizing the Clerk of City Council to publish notice in a newspaper of general circulation that the list of assessments by lot is available for public inspection. (Mike Dreisbach, Service Director).



Staff Report/Resolution

6. A Resolution authorizing the City Manager to submit eligible projects to the Butler County Board of Commissioners for the 2019 Community Development Block Grant Program (CDBG) Year Application. (Mike Dreisbach, Service Director).



Staff Report/Resolution



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 Establishing Salaries And Certain Benefits For Salaried And Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2019 Through December 31, 2019. (Candi Fyffe, Human Resources Director).



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately One Acre Of Land Located At 5111 Morning Sun Road Oxford, Ohio, And Rezoning The Property From Office and Light Industrial, (OI) District To Neighborhood Business District. (Sam Perry, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit For A Banking Facility With A Drive-Through Window In The General Business (GB) District To Be Located At 31 Lynn Avenue Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development 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 17 Board of Zoning Appeals Meeting 6:30 p.m.

TUES - Oct 22 City Council Budget Work Session 6:30 p.m.

FRI- Oct 26 Community Improvement Corporation 12:00 p.m. LCNB

THUR - Nov 1 Public Arts Commission of Oxford Meeting 4:30 p.m. Municipal Building

TUES - Nov 6 City Council Meeting 7:30 p.m.

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

THUR - Nov 8 Civil Rights Commission Meeting 4:00 p.m. Municipal Building

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

WED - Nov 14 Historic and Architectural Preservation Commission Meeting 5:00 p.m.

THUR - Nov 15 Recreation Board Meeting 4:00 p.m. Senior Center

THUR - Nov 15 Police Community Relations & Review Commission Meeting 7:00 p.m.

TUES - Nov 20 City Council Meeting 7:30 p.m.

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

THUR - Nov 22 Holiday – City Offices Closed

FRI - Nov 23 Holiday – City Offices Closed

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: October 16, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 9, 2018

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into a service agreement with the Butler County Public Defender Commission to provide legal counsel to indigent persons charged with violations of Municipal Ordinances for the year 2019, and thereafter under certain terms and conditions.

Recommendation: Approve.

County Public Defenders are by law allowed to contract with municipalities for representation of indigent persons in the court system.

The Butler County Public Defender Commission has contracts with the cities of Fairfield and Hamilton and contracted with the City of Oxford on February 3, 2015.

The proposed Resolution would authorize the City Manager to enter into a renewal agreement with the Public Defender Commission to provide legal counsel to indigent persons appearing in Butler County Area One Court in 2019 at a cost of \$3,541.71.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 10/12/18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE BUTLER COUNTY PUBLIC DEFENDER COMMISSION TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF MUNICIPAL ORDINANCES FOR THE YEAR 2019, AND THEREAFTER UNDER CERTAIN TERMS AND CONDITIONS.

WHEREAS, it is the legislative determination of the City Council that it is in the public interest, and the legal responsibility of the City, to provide the required legal service for all indigent persons charged with violations of the Codified Ordinances of Oxford, Ohio, which could result in their loss of liberty.

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

SECTION 1: The City Manager be and is hereby authorized to enter into a Service Agreement with the Butler County Public Defender Commission to provide required legal services for indigent persons, a copy of said Service Agreement is attached hereto as Exhibit "A" and incorporated by reference herein. The cost of said contract shall be paid in accordance with the terms set forth in the Agreement. Said amounts shall be paid from the appropriate fund.

SECTION 2: This resolution 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)

**AGREEMENT FOR INDIGENT DEFENSE SERVICES
IN BUTLER COUNTY AREA 1 COURT
Public Defender and Assigned Counsel**

This Agreement is entered into by and between the Butler County Public Defender Commission, with a mailing address of 315 High Street, 8th Floor, Hamilton, Ohio 45011 (hereinafter referred to as the "COUNTY"), and the City of Oxford, with a mailing address of 101 E. High Street, Oxford, Ohio 45056, (hereinafter referred to as the "CITY").

WHEREAS, the CITY recognizes its responsibility under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with a violation of a City ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and

WHEREAS, Butler County has adopted a program whereby a Public Defender Commission has been formed and has established a Public Defender Office for providing indigent defense and if there is a conflict, then the court will appoint assigned counsel attorneys.

WHEREAS, the COUNTY Public Defender Commission pursuant to Ohio Revised Code §120.14 and §120.16 may enter into a contract with a municipal corporation whereby the County provides legal representation to indigent persons charged with a violation of an ordinance of a municipal corporation for which the penalty or possible adjudication includes the potential loss of liberty and under which the municipal corporation shall pay the COUNTY for these services.

WHEREAS, these contracts must contain terms in conformance with Ohio Administrative Code §120-1-09 and the parties must follow the Ohio Public Defender Commission standards and guidelines and the COUNTY Maximum Fee Schedule for Appointed Counsel, in order for the COUNTY to obtain reimbursement for indigent defense costs pursuant to Ohio Revised Code §120.18, §120.33 and §120.35, and pay the CITY its appropriate share if such has not already been calculated in the formula to determine compensation, and

WHEREAS, this Agreement has been authorized by the CITY by Res.#
_____, passed by the Oxford City Council on
_____.

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. REPRESENTATION

- 1.1 The COUNTY, on behalf of the CITY, agrees to provide legal representation in Area 1 County Court on or after the commencement date and during the term of this agreement in cases where the defendant is indigent and charged with the commission of an offense or act which is a violation of a CITY ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
- 1.2 Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender, pursuant to Ohio Revised Code §120.03 and Ohio Administrative Code §120-1-03. In addition to indigency determination, all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.
- 1.3 A major purpose of this agreement is to enable the COUNTY and CITY to obtain partial reimbursement of its costs to have the Public Defender office or appointed counsel in conflict situations, provide legal representation in Area 1 County Court for indigent persons charged with any violation of a CITY ordinance for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this agreement should be resolved in favor of obtaining this result.

2. COMPENSATION

- 2.1 For and in consideration of the CITY'S annual payment of the sum of \$3,541.71 to the COUNTY, said sum to be paid in equal monthly installments of \$295.14 per month due on or before the 15th of each month, for which the Public Defender Office provides representation in Area 1 County Court in consideration of the COUNTY being authorized to receive and keep any and all reimbursement, if any; it may be able to obtain from the Ohio Public Defender Commission for such representation, the COUNTY agrees to have its Public Defender attorneys undertake the representation of indigent adults who are charged in the Area 1 County Court with the commission of an offense that is a violation of a Oxford City Ordinance for which the penalty includes a potential loss of liberty. The parties further agree that due to the staffing commitment required from the COUNTY by the Area 1 County Court, this payment may also include some contribution for representation in connection with

certain violations under the Ohio Revised Code as contemplated by the parties.

- 2.2 In addition to the payments for the Public Defender services; in conflict situations, where assigned counsel is appointed, the County will pay the attorney and bill the CITY monthly for the municipal code violation cases the County paid assigned counsel in any particular month, based on qualifying attorney vouchers. The COUNTY will issue an invoice to the CITY.
- 2.3 Amounts paid by the CITY for representation of such indigent persons, whether by a contractual amount or fee schedule, shall not exceed the fee schedule in effect and adopted by the COUNTY Commissioners.
- 2.4 Applications for transcripts and expert fees may be made to the court by the Public Defender or Assigned Counsel. When granted by the court and in municipal code violation cases, the county will pay, bill the CITY and the CITY will reimburse the COUNTY.
- 2.5 The type of case (ORC vs Municipal Code) for payment purposes is based on the offense charged, not the offense of conviction or plea. If any ORC violation is charged at the same time as a Municipal Code violation, then the CITY is not required to reimburse the COUNTY.
- 2.6 The COUNTY shall promptly pay over to the CITY any reimbursement received from the Office of the Ohio Public Defender Commission pursuant to Chapter 120 of the Ohio Revised Code for any amounts the CITY expended pursuant to this agreement for assigned counsel fees, and expert and transcript costs.

(There is no sharing of state reimbursement for the County Public Defender office costs.)

3. DURATION OF CONTRACT and TERMINATION

- 3.1 The term of this agreement shall be for one year, January 1, 2019 to December 31, 2019. This contract may be renewed for additional one year terms upon proper resolution of each entity agreeing to the one year extension and proper appropriation of funding for the new year. Copies of the resolutions are to be sent to the Ohio Public Defender, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215.

- 3.2 If COUNTY or CITY shall fail to fulfill in a reasonable, timely and proper manner its obligations under this agreement or if either party shall substantially violate any of the covenants, agreements or stipulations of this agreement, then the aggrieved party shall hereupon have the right to terminate this agreement by giving written notice to the other party of such termination and specifying an effective date thereof at least thirty (30) days before the effective date of said termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this agreement by the other party.
- 3.3 Written notice shall be considered furnished when it is sent by Certified Mail; return receipt requested or is hand delivered.

4. TERMS OF AGREEMENT

- 4.1 Indigency and client eligibility for representation under this agreement shall be determined in conformity with the standards of indigency and other rules and standards established by the Ohio Public Defender Commission and the State Public Defender.
- 4.2 Recognizing that the requests for reimbursement must be received by the State Public Defender in a timely manner, the Municipal Court Clerk shall promptly notify the COUNTY of the CITY ordinance cases completed and pending in any month.
- 4.3 After approval, the County Auditor shall thereafter, process the fees and expenses approved by the Court in accordance with the procedure set forth in Ohio Revised Code §120.33.
- 4.4 There shall be no discrimination against any employee who is employed in the work covered by this agreement or against any application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The COUNTY shall insert a similar provision in any subcontract for services covered by this agreement.

- 4.5 No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of any such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

5. MODIFICATION

- 5.1 This contract may not be amended orally.
- 5.2 This contract may be amended only by written addendum, signed and executed by the parties named herein, or their successors.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

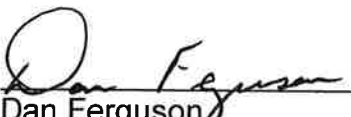
BUTLER COUNTY PUBLIC DEFENDER COMMISSION

 9/17/18
Jack F. Grove Date
Chairperson

CITY OF OXFORD

Douglas R. Elliott Date
City Manager

Approved as to Form Only:

 9/27/18
Dan Ferguson Date
Assistant Prosecuting Attorney

Approved as to Form Only:

Stephen M. McHugh Date
City of Oxford Law Director

Approved: _____
Ohio Public Defender Date

By adoption of its Resolution No. _____ adopted on _____, the Board of County Commissioners of Butler County has approved all provisions of this Agreement which pertain to the financing of defense counsel for indigent persons who are charged with a violation of the ordinances of the City of Oxford.

**Board of County Commissioners of
Butler County, Ohio**

Date

Date

Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: October 16, 2018

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: October 8, 2018

Agenda Title: Facility Naming Committee, Oxford Aquatic Center

Recommendation: Approve

Members Present: Doug Elliott, City Manager; Prue Dana; Dick Keebler; Shaunna Tafelski; Jerome Conley; Edna Southard, City Council
Absent: Hollie Bonewit-Cron

Oxford City Council appointed members to a Facility Naming Committee per Resolution 6093. On Monday September 17 the Facility Naming Committee met for the third time at the Municipal Building at 4:00pm.

The committee discussed the results of an online survey provided to the community in regards to the potential name of the new aquatic facility. There were 286 responses to the survey. Mr. Wooddell provided all members with a summary of the results of each question, as well as the name suggestions provided by the respondents.

Committee members discussed potential names of the new facility. Following the discussion, City Councilor Edna Southard made a motion to name the new facility the Oxford Aquatic Center. The motion was seconded by Mr. Richard Keebler. The motion carried 4-1.

Per this vote, the Facility Naming Committee hereby recommends to City Council to name the new aquatic facility the Oxford Aquatic Center.

Approved By:

Initial Date

Department Head: CDW \ 10/8/2018

City Manager:

DRE \ 10/12/18

RESOLUTION NO.

A RESOLUTION ACCEPTING THE RECOMMEDATION OF THE FACILITY NAMING REVIEW COMMITTEE AND NAMING THE NEW AQUATIC FACILITY SLATED TO OPEN IN 2019 “OXFORD AQUATIC CENTER”.

WHEREAS, pursuant to Oxford Codified Ordinance Chapter 149 entitled Facility Naming and/or Renaming, City Council appointed the Facility Naming Review Committee on June 18, 2018 to provide recommendations to City Council for naming the new facility slated to open in 2019; and

WHEREAS, after seeking input from the public for naming the new facility via an electronic survey, 286 responses were received; and

WHEREAS, the Facility Naming Review Committee has considered the responses received from the public and has recommended to City Council that the new aquatic facility slated to open in 2019 should be named “Oxford Aquatic Center”.

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

SECTION 1: Council accepts the recommendation of the Facility Naming Review Committee and hereby names the new aquatic facility slated to open in 2019 “Oxford Aquatic Center”.

SECTION 2: This resolution 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

Clerk of Council

Originating Department

Council Meeting Of: October 16, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 8, 2018

Date Prepared

Agenda Title: A Resolution of Council authorizing alcoholic beverages to be served free of charge at a private event on October 19, 2018 held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056.

Recommendation: N/A

Discussion:

For Council's consideration based on a request from F. Stephen Schnabl, Executive Director, Oxford Seniors.

Section 729.10 of the Oxford Codified Ordinances prohibits the sale or use of alcohol on any municipally owned or controlled property unless approved by City Council.

Approved By:

Initial Date

Department Head:

City Manager:

DRE

10/12/18

RESOLUTION NO.

A RESOLUTION OF COUNCIL AUTHORIZING ALCOHOLIC BEVERAGES TO BE SERVED FREE OF CHARGE AT A PRIVATE EVENT ON OCTOBER 19, 2018 HELD FOR "MEMBERS ONLY AND INVITED GUESTS" AT OXFORD SENIORS, 922 TOLLGATE DRIVE OXFORD, OHIO 45056.

WHEREAS, Oxford Seniors leases the premises located at 922 Tollgate Drive from the City of Oxford for the purpose of operating a senior citizen center; and

WHEREAS, section 729.10 of the Oxford Codified Ordinances prohibits the sale or use of alcohol on any municipally owned or controlled property unless approved by City Council.

WHEREAS, Oxford Seniors wishes to serve alcoholic beverages free of charge at a private event held for "Members Only and Invited Guests" at 922 Tollgate Drive Oxford, Ohio 45056. This request was approved by Council in 2017 with the adoption of Resolution No. 5098.

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

SECTION 1: Council hereby authorizes alcoholic beverages to be served free of charge at a private event on October 19, 2018 held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: October 16, 2018

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

October 5, 2018
Date Prepared

Agenda Title:	Environmental Commission Meeting of October 3, 2018
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, October 3, 2018 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Ms. Shana Rosenberg; Mr. Jon Ralinovsky, and Mr. Andor Kiss. A quorum was present. Mr. Vince Hand had previously informed the Commission he would be unable to be present for this meeting. Ms. Molly O'Donnell, a Miami University (MU) undergraduate student and the Secretary of Infrastructure and Sustainability for the MU's Association of Student Government was in attendance. Ms. Suzanne Zazycki, Associate Director at MU's Institute for the Environment and Sustainability (IES), and IES Graduate Students, Ms. Kelsey Forren and Ms. Shachi Vaish, were also in attendance.

The minutes from the September 5, 2018 Environmental Commission meeting was unanimously approved as presented.

Ms. Forren and Ms. Vaish are part of a four member student team tasked with a Professional Service Project (PSP) evaluating greenhouse gas emissions and developing a carbon footprint for the City of Oxford. The Environmental Commission is the client for the PSP. The community greenhouse gas (GHG) inventory and carbon footprint is a continuation and the next step in last year's PSP investigating Oxford's potential participation with the Global Covenant of Mayors for Climate and Energy. Determining the GHG inventory/carbon footprint would establish a reference baseline for the community's carbon dioxide-equivalent emissions, and is necessary for Oxford's participation with any of several sustainability programs identified during last year's PSP. Ms. Forren and Ms. Vaish inquired if the Commission wished that the GHG inventory address the community as a whole or focus more on governmental activities, where Oxford could have more control over actions aimed to reduce greenhouse gas emissions. Commissioners indicated that the community as a whole would be the preferred target of the PSP as a community GHG baseline for future comparisons was needed, but this was possibly beyond the available time for the investigation. At present, the expanse of the GHG inventory that could be reasonably undertaken will be determined as this semester progresses, based upon what the graduate students learned in their preliminary investigations. This is the first year of a new format for the IES PSP, with the first semester intended for generalized work on a PSP, and the second semester dedicated to more detailed work. The graduate students are to start with the more focused work on the PSP during the three-week long "J term" in January 2019.

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>HTS</u>	<u>10/5/18</u>
		<u>DRE</u>	<u>10/12/18</u>

Councilor Raghu updated the Commission on City Council activities, particularly the work session on September 18th regarding the draft Tree Preservation and Protection ordinance. Staff provided a summary of potential revisions made to the draft ordinance based upon comments made by City Council during the work session. During subsequent discussion, the Commissioners allowed the possibility of increasing the acreage of affected properties from one (1) acre to two (2) acres, which would reduce the affected parcels from 317 to 137. Staff informed the Commission of a pending meeting of Thursday, October 4th between the City Manager, Service Director, and Staff to the review potential text revisions. The Commissioners asked that Staff keep them informed into developments with revisions to the draft ordinance, with the expectation that changes to the draft ordinance beyond clarifications and minor edits would result in the Commission review and comment.

The City's current solid waste and recycling contract expires at the end of 2019. The Commissioners expressed interest in doing something to encourage reduction in the residential trash volumes. Several ideas were suggested: tiered levels of trash collection service based upon volume(s), increase the size of the provided recycling container component of the residential non-subscription service to include 65-gallon recycling wheeled waste totes to provide a baseline level of recycling service beyond the current 18-23 gallon the red bins, developing approaches and/or programs to discourage disposal of furniture as trash during student end of the academic-year "Move-Out" (in addition to the existing ShareFest program), and leave rentals at the current 10-item trash limit and offer owner/occupant residents a tiered level of service option. The Commissioners requested that a Rumpke representative attend a future Commission meeting to review these ideas, and discuss what has been successful in other communities to reduce solid waste volumes. Chair Gwyn indicated he would contact Mr. Dean Ferrier, Rumpke's Municipal Contract Representative, and extend an invitation to speak to the Environmental Commission. The suggestion was made to extend the offer to other waste haulers, such as Waste Management, that could potentially offer pricing during the next contract cycle.

Commissioners concluded discussions at 8:35 p.m. The next Environmental Commission meeting is scheduled for 7:00 pm on Wednesday, November 7, 2018, in the Municipal Building's First Floor Conference Room.

A Budget Work Session of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Wednesday, October 10, 2018 at 6:30 P.M. Council members present were, Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, and Edna Southard. Mike Smith was excused.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; John Jones, Police Chief; Alan Kyger, Economic Development Director; Joe Newlin, Finance Director; Heidi Hill, Assistant Finance Director; Sam Perry, Community Development Director; Candi Fyffe, Human Resources Director; Casey Wooddell, Parks and Recreation Director and John Detherage, Fire Chief.

APPROVAL OF AGENDA

Mr. Dana moved approval of the Agenda. Ms. Southard seconded. The motion carried 6-0-0.

2019 BUDGET

Mr. Elliott presented the proposed budget for 2019 followed by Council and staff discussion. It was decided a second Budget Work Session will be held on Monday, October 22, 2018 at 6:30 p.m.

ADJOURNMENT

Mr. Dana moved to adjourn at 9:55 p.m. Mr. Ellerbe seconded. The motion carried 6-0-0.

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, October 2, 2018 at 6:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu and Edna Southard. Mike Smith was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Candi Fyffe, Human Resources Director; Mr. Steve McHugh, 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) and (3) to discuss appointments to Boards and Commissions, employment of a public employee and pending litigation. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Ellerbe, Mr. Dana, Mr. Prytherch, Ms. Raghu, Ms. Southard, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 7:30 p.m. Mr. Ellerbe seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Dana moved to appoint Steve Schnabl and Cheryl Young to the Student Community Relations Commission. Ms. Southard seconded. The motion passed 6-0-0.

**NOTICE TO
LEGISLATIVE AUTHORITY**

New permit for Fridge & Pantry Inc. DBA Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger addressed the new permit for Fridge & Pantry noting it was a D-1 permit for Beer only for on premises consumption or in original sealed containers for carryout only until 1:00 a.m.

Mayor Rousmaniere reminded everyone that the State of Ohio regulated all of the liquor permits not the local municipalities.

Mr. Dana moved to receive the notice without comment. Mr. Ellerbe seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Prue Dana, 131 W. Collins Street, advised Council had in front of them the Voters Guide for the November election noting Cox Media publishes the guide for the League of Women Voters. Ms. Dana advised a Candidate Forum would take place Thursday, October 4th from 7-9 p.m. at the Knolls of Oxford. Ms. Dana noted people running for the State School Board as well as the 8th and 53rd Districts would be in attendance. Ms. Dana advised everyone was welcome to attend and noted her hope citizens would find the voters guide to be helpful.

Mr. Ron Siliko, 6244 Hester Road, commended City Council for taking a proactive approach in allowing e-scooters in the City and noted he thought they were great. Mr. Siliko advised he wanted to advocate for a limited government via private property rights and read the following into the record in part: 'The rights of the government should not interfere with the natural rights of the individual. City Council is the biggest property owner in Oxford. To put it another way you own all of the land in the City for nothing. Please allow me to clarify these statements. In the interest of liberty, I am speaking against the system. Particularly zoning and permitting. By having zoning and other regulations this body effectively decides what people can do on the property they own. In a free market rapidly changing economy zoning only serves to protect special interests, the strict ever growing cottage industries, and is indicative that government does not trust its citizens to make and accept the consequences of their decisions. The recent rejection of the Opus proposal is a clear example that this body believes central planning is better at managing economic activity and land use than business and property owners. I am deeply troubled by this decision for reasons beyond the rights of property owners. Every community group that I have participated in most recently The Coalition for a Healthy Oxford, one of the things that is predominately mentioned time and time again is lack of affordable housing in this community. The City has had zoning for decades and this problem has made some progress but has not been resolved. The rejection of the Opus proposal violates a fundamental economic tenon of supply and demand. If prices are to drop supply must increase. Increasing the housing supply will increase the number of vacancies of rental housing. This will over time result in lower consumer prices and property owners will make adjustments on their properties to sustain their businesses such as modifying their buildings. Zoning and permitting also restricts the rights of owners to grow or improve their property.'

The City can not in good conscious tell owners they can not expand their building or improve their property because of some regulations while at the same time increasing their building inventory for City government offices. On the City website there are over 20 reasons given that a permit is needed. In essence a permit states that the owner needs permission to do something because they can not be trusted and central planners know how to better utilize property than the owner. Owners have an incentive to meet accepted standards or face consequences individually or in the market. Consumers and citizens should determine if a sign is too big with a negative reaction to the business not a central planning body that does not have the same incentive for the business to prosper. If you want economic growth, improved amenities, increase competition and ultimately lower prices for consumers you would support reducing barriers to entry. Will there be failures or challenges? Absolutely, but there are failures now. That is the nature of business. Consumers should steer the direction of land use not government. I propose that the City look at eliminating zoning or at a minimum decreasing the regulatory guidelines. Oxford can differentiate themselves from other locals by reducing these restrictions which overall would be a tremendous competitive advantage. I have no right to tell each of you what to do on your property and I ask for the same consideration in return. I accept the consequences of decisions I make in my life and on my property alone which is the essence of the freedom philosophy. It is my hope that some part of this speech on freedom, the rights of the individual, voluntary cooperation, trusting people and private property ownership resonates with you. I would be happy to discuss my thoughts with you further and I do plan on being more involved in the future.' Mr. Siliko thanked Council for their time.

Mayor Rousmaniere thanked Mr. Siliko for his thoughts.

CONSENT AGENDA

MINUTES

Minutes of the September 18, 2018 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the September 18, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the September 11, 2018 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the September 11, 2018 Planning Commission Meeting. (Sam Perry, Community Development Director)

Report regarding the September 12, 2018 Historic and Architectural Preservation Commission Meeting. (Sam Perry, Community Development Director)

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

RESOLUTIONS

RESOLUTION **OVERLAY DISTRICT**

A Resolution No. 7016 of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a Neighborhood Conservation Overlay District for parcels on McKee Avenue, Peabody Drive, Tenney Court and Thomson Court as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Sam Perry, Community Development Director)

Mr. Wilson advised the proposed Neighborhood Conservation Overlay District was the 17th one to come before Council. Mr. Wilson noted a Neighborhood Conservation Overlay District restricts residential properties to be rented to no more than 2 unrelated individuals while retaining the underlying zoning. Mr. Wilson provided a PowerPoint slide showing the locations of the other districts in relation to the one before Council this evening. Mr. Wilson advised the petition was submitted by Anita Jones of 106 Tenney Court and noted there were a total of 50 parcels contained in the overlay request and 88% of the residents provided signatures. Mr. Wilson noted the request was for the Juniper Hills Subdivision Section I and II. Mr. Wilson advised this was the first step of the process in creating a Neighborhood Conservation Overlay District and noted the Zoning Code requires City Council to formally accept the petition and forward it to the Planning Commission for review.

Ms. Anita Jones, 106 Tenney Court, advised she orchestrated the petition and submitted it to staff. Ms. Jones noted she and some of her neighbors were in attendance to answer any questions. Ms. Jones thanked Council for their consideration.

Mr. Ellerbe inquired if this would also apply to Short Term Rentals aka Airbnb. Mr. McHugh advised Mr. Perry has been working on legislation for Short Term Rentals and it would likely come before Council at their next meeting. Mr. Dana as a member of the Planning Commission advised special arrangements are provided in the proposed Airbnb language to address that very concern.

Mr. Dana noted he felt the proposed Neighborhood Conservation Overlay District was a very good example of a way in which government and private citizens can work together to achieve a mutually agreed end which is the welfare of the community.

Mr. Prytherch advised the longest part of this process was likely gathering all of the signatures and noted if done properly the rest of the process should go relatively smoothly.

Mr. Dana congratulated Ms. Jones and others who obtained the petition signatures.

Ms. Southard advised she felt the overlay districts help preserve neighborhoods.

Mr. Coe Potter, local real estate broker, advised he applauded people for taking control of their property as best they can. Mr. Potter inquired if the City could disseminate new Neighborhood Conservation Overlay District information to those in the real estate business because as they represent a property they need to make sure the consumer knows what is in transition at the time.

Mr. Dana moved to approve Resolution No. 7016. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
OVI TASK FORCE

A Resolution No. 7017 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 2019 grant funded through the Ohio Department of Public Safety. (John Jones, Police Chief)

Chief Jones advised this was the OVI Task Force grant from the Ohio Traffic Safety Office and noted as part of the grant the City needed a grant coordinator. Chief Jones advised Pete Reising has been the OVI Grant Coordinator for the past several years and noted an agreement was needed between Mr. Reising and the City of Oxford for the 2019 grant.

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

Ms. Southard asked Chief Jones to explain to the public what this work involves. Chief Jones advised Mr. Reising coordinates the grant and allocates funds to the 13 agencies that participate in the Butler County OVI grant of \$225,000. Chief Jones noted out of the grant funds agencies pay overtime for officers to participate in saturation patrols, OVI Check Points and things of that nature. Chief Jones advised Mr. Reising takes care of the paperwork side of it, sets up the OVI Check Points and arranges them with ODOT.

Mr. Dana moved to adopt Resolution No. 7017. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
MUTUAL ASSISTANCE
AGREEMENT

A Resolution authorizing the City Manager to enter into a Law Enforcement Mutual Assistance Agreement with Miami University. (John Jones, Police Chief)

Mr. McHugh advised the Ohio Ethics Commission has opined that anyone who has an employment or business relationship with Miami University regardless of the capacity will need to recuse themselves from matters which involve the City of Oxford and Miami University. Mr. McHugh noted the Ohio Ethics Commission took the same position with Ohio University. Mr. McHugh advised if Councilors recuse themselves they still have their constitutional first amendment rights to speak to the matter as a citizen. Mr. McHugh noted because the business of government has to go on there was also case law that provides that even if only one person votes yes on a matter it passes.

Mayor Rousmaniere, Mr. Prytherch and Mr. Ellerbe recused themselves.

Chief Jones advised the proposed Resolution would renew the Mutual Aid Agreement between the Oxford Police Division and the Miami University Police Department. Chief Jones noted they were both part of a countywide mutual aid agreement and they further define their roles because of the close relationship working in concurrent jurisdictions.

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

Ms. Southard inquired if there were any changes from the previous agreement and Chief Jones advised no.

Ms. Raghu inquired if OPD received MUPD Police Reports. Chief Jones advised OPD does not receive a copy of all of MUPD Police Reports although they work together very closely.

Mr. Dana advised he felt this was a sensible and necessary agreement and one that enhances the reach of both Police Departments.

Ms. Raghu inquired if there was a joint reporting system. Chief Jones advised press releases were shared with MUPD if it involves them as well. Chief Jones noted there was not an automatic exchange of information daily.

Ms. Southard moved to adopt Resolution No. 7018. Ms. Raghu seconded. The motion passed 3-0-0.

ORDINANCES **FIRST READING**

ORDINANCE **ZONING MAP** **AMENDMENT**

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately One Acre Of Land Located At 5111 Morning Sun Road Oxford, Ohio, And Rezoning The Property From Office And Light Industrial (OI) District To Neighborhood Business District. (Sam Perry, Community Development Director)

Mr. Kyger advised Mr. Perry was on vacation and he would address the proposed Ordinance in his absence. Mr. Kyger noted a rezoning request was before Council which should be familiar to them since it came before Council earlier this year to be rezoned R2MS which Council denied. Mr. Kyger advised the applicant met with Mr. Perry to discuss other ways to redevelop the site and decided to move forward with the newly formed Neighborhood Business District. Mr. Kyger noted the Neighborhood Business District allows a blend of business and residential uses. Mr. Kyger advised the Planning Commission voted 7-0-0 in favor of the request.

Mr. Scott Webb, Applicant, advised it was actually a Council member who suggested rezoning the property in question to Neighborhood Business District.

Mr. Webb noted the property in question was previously zoned residential and it was surrounded by residential. Mr. Webb advised the 2003 Zoning Map Amendment allowed the current medical office corridor on Morning Sun Road through the OI zoning designation. Mr. Webb noted after 15 years and no more development in this OI district he felt it was time to consider something different. Mr. Webb advised the property in question was currently undeveloped and it was surrounded by a non-conforming use to the east, medical offices and multi-family. Mr. Webb provided a PowerPoint and noted the mixed use Neighborhood Business District reflects the diversity of the surrounding uses, incorporates small scale businesses within walking distance of the hotel and the expanded R3MS area. Mr. Webb noted the current OI zoning was extremely restrictive with no retail sales to the general public and no storage of goods allowed. Mr. Webb advised the professional offices were described as for scientific and engineering, research, experimental, testing labs and data processing. Mr. Webb noted the current zoning requires 50 foot set-backs which is not feasible for a one acre parcel. Mr. Webb advised the Neighborhood Business District allows professional services of less than 2,500 square feet, small retail, personal services and daycare. Mr. Webb advised second floor residential was a permitted use in the Neighborhood Business District. Mr. Webb noted the Neighborhood Business District limits the height and scale of the buildings as it was designed to fit in the Mile Square or into neighborhoods and advised it required additional buffering along the neighborhood residential zoning districts, it encourages parking to the rear, limits front yard lot coverage and restricts the hours of operation from 8 to 9 p.m. Mr. Webb referred to the Decision Standards and advised the Planning Commission felt the amendment will make the map conform more closely with the Comprehensive Plan. Mr. Webb noted the site has been vacant for over 15 years and advised it is in need of some infill.

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

Mayor Rousmaniere advised she favored the proposal noting it was good for the City.

Mr. Prytherch noted the purpose of the Neighborhood Business District was to create walkable commercial and mixed uses that nestle into individual areas. Mr. Prytherch noted his hope this would be a successful development and that it produces a high quality product. Mr. Prytherch thanked Mr. Webb for working with Council on this project and noted he felt there was ample Comprehensive Plan support for it.

Mr. Dana noted his support for the map amendment and advised he felt it was a win win.

Ms. Southard reiterated that the parcel has been vacant for a considerable amount of time and advised Council was in favor of infill. Ms. Southard inquired how much OI zoning would be left in the City if this parcel was rezoned. Mr. Kyger advised all of the land in front of the High School was zoned OI and well as several acres on SR. 73. Mr. Kyger noted there was another small area on SR. 732.

Mr. Prytherch noted for various reasons both in terms of its restrictive use and its set-back requirements the OI District has not proven to be very attractive for office and industrial development. Mr. Prytherch advised new businesses are having difficulty finding places to open in Oxford and he felt adding new flexible space helps economic development goals.

ORDINANCE
CONDITIONAL USE

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit For A Banking Facility With A Drive-Through Window In The General Business (GB) District To Be Located At 31 Lynn Avenue Oxford, Ohio 45056 With Conditions. (Sam Perry, Community Development Director)

Mr. Ellerbe recused himself as a member of the Miami University Community Federal Credit Union Board.

Mr. Kyger advised the Conditional Use Permit was for a drive-through window at the Miami University Community Federal Credit Union to be located at 31 Lynn Avenue as a second banking office for the credit union. Mr. Kyger noted a bank was a permitted use and anytime a drive-through is involved it comes before Council as a conditional use. Mr. Kyger advised there were already several drive through facilities on Lynn Avenue. Mr. Kyger referred to page 84 of Council's packet and advised the Planning Commission recommended approval with six conditions. Mr. Kyger noted Council needed to weigh any negative consequences that the drive through may create in the neighborhood. Mr. Kyger provided a PowerPoint slide of the proposed facility and noted the surrounding property owners were US Bank, La Rosas, Animal Care Clinic, Taco Bell, Monroe Automotive and Arby's which were similar types of uses. Mr. Kyger advised several variances on setbacks, sidewalk area and other items were needed due to the size of the parcel. Mr. Kyger noted he felt if this was going to be a restaurant or something with a lot of traffic and a lot of heavy usage Council might wonder about the variances. Mr. Kyger advised a bank is a lower volume type of business. Mr. Kyger noted the Planning Commission voted 7-0-0 to recommend approval to Council with 6 conditions as listed on page 84 of Council's packet.

Mr. Rick Parker, President/CEO, Miami University Community Credit Union, advised this was his second project with the City noting the credit union built on US 27 some years ago. Mr. Parker noted each experience working with City employees and officials had been wonderful. Mr. Parker advised the credit union was affiliated with Miami University and they were a federally chartered, federally insured, not for profit financial institution. Mr. Parker noted the credit union was a full service financial institution doing everything from first mortgages to commercial loans. Mr. Parker advised they were a low volume facility as most customers do business on line. Mr. Parker provided additional information regarding the history of the credit union and why they needed the additional space.

Ms. Maria Schertler, the Architectural Group, advised this location was important to the credit union because it places them in the heart of the General Business District and near the university. Ms. Schertler provided a PowerPoint and described the project in detail as shown on pages 102-119 of Council's packet.

Mr. Dana referred to a memo from the Acting City Engineer and inquired if storm water management was still an issue. Mr. Dana inquired of permeable paving had been considered.

Ms. Schertler advised there were Civil Engineers on the team at the Architectural Group and they were aware that the City of Oxford's Storm Water Management Plan will have to be met. Ms. Schertler noted they have looked at permeable paving, retention ponds and underground retention.

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

Mr. Dana noted he felt having this bank in the community truly fills a need because they provide the kind of loans that other banks do not.

Ms. Southard inquired if the new facility will replace the 2 existing facilities. Mr. Parker advised the building on Wells Mills Drive will revert back to the university and noted the location on College Corner Pike will remain a full service branch.

Mr. Prytherch advised he appreciated the credit union's investment and desire to be in the commercial core of the City. Mr. Prytherch noted it was a balancing act to address the walkable district and accommodate the automobile and the drive through facilities. Mr. Prytherch inquired if the applicant thought about aligning the sidewalk directly with the front door as it would be a direct orientation for people walking from both directions to the front door and vehicles will be queuing to turn to leave. Mr. Prytherch advised there has been an effort to preserve the mature trees and noted they were on the adjacent property. Mr. Prytherch noted concern with the trees surviving through construction and also banking operations. Mr. Prytherch referred to the zero foot lot line to the north and inquired if the applicant needed double loaded queuing as well as a double loaded drive through. Ms. Schertler advised the good thing about the drive through being on the north side is that the amount of disturbing of the soil and the depth needed is minimal. Ms. Schertler noted the curb was only 18 inches and advised the root system for the trees goes a lot deeper than that and likewise with the asphalt pavement. Ms. Schertler advised the queuing was a condition of zoning and noted every drive through must have 3 queuing spots and an exit spot. Mr. Prytherch noted his concern that the applicant's efforts to communicate with the adjacent property have not been successful as he felt it would be nice to have connection internally. Mr. Parker mentioned the internal connection has not been ruled out.

Mayor Rousmaniere noted she thought the layout was very creative for the small lot. Mayor Rousmaniere advised the second reading of the proposed Ordinance would be in two weeks.

ORDINANCE
SECOND READING
SUPPLEMENTAL BUDGET

An Ordinance No. 3486 Amending Ordinance No. 3449. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2018. (Joe Newlin, Finance Director)

Mr. Newlin advised the first issue on the Supplement Budget dealt with the Board of Building Standards fees and noted the number of building permits exceeded the expectation for 2018.

Mr. Newlin advised the second issue dealt with continuing legal expenses and noted instead of \$15,000, \$80,000 was needed to cover pending litigation. Mr. Newlin advised he would appreciate a motion to increase the allocation from \$15,000 to \$80,000.

Mr. Ellerbe moved to amend the amount from \$15,000 to \$80,000. Mr. Dana seconded. The motion passed 6-0-0.

Mr. McHugh advised the increase was for outside legal services with respect to some matters the City is involved with.

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

Mr. Dana moved to adopt Ordinance No. 3486 as amended. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the 2018-2019 Deer Management Program is underway noting it began September 29th and would end February 3, 2019. Mr. Elliott advised in Oxford's area the total permitted limit was 2 deer. Mr. Elliott noted this was the 10th year for the program and advised last year 7 deer were harvested with 4 being donated to the Community Meal Center in Hamilton.

Mr. Elliott advised an Open House was scheduled for the new Municipal Building at 15 S. College Avenue for Tuesday, October 16, 2018 from 4-6 p.m.

Mr. Elliott reminded Council the Budget Work Session was scheduled for Wednesday, October 10, 2018 in the Courthouse at 6:30 p.m.

Chief Jones advised members of the Police Division were wearing pink badges in support of Breast Cancer Awareness month. Chief Jones noted the badge company (Smith & Warren) donated 10% of the proceeds to the National Breast Cancer Foundation. Chief Jones advised when employees purchased the badges they made a \$20 donation locally. Chief Jones noted \$600 will be donated to the Coalition for a Health Community Oxford Area for the work they do in supporting women's health.

Chief Jones commended officers who worked Friday night and responded to a violent attack which occurred in the Poplar Street and Ardmore Drive area.

Mr. Kyger updated Council and the public with regard to the City's E-Scooter Pilot Program.

Mr. Prytherch noted he felt good enforcement will be part of a successful experience with the E-Scooter Pilot Program. Mr. Prytherch advised he felt training for the e-scooter users was needed to ensure they know the laws and know where and how to ride them.

Ms. Raghu provided an update on a proposed composting program noting a company was available and had the EPA permits. Ms. Raghu advised the company operated as a food waste courier and has the infrastructure to process bioplastics. Ms. Raghu noted for 3 locations throughout the City for food waste drop off it would cost approximately \$2,860 per year per location. Ms. Raghu advised two locations would cost \$3,198 per year per location and one location would cost \$4,212 per year. Ms. Raghu advised she envisioned a pilot program to have 2-3 locations at places such as the elementary, middle and high school which would have the added benefit of taking the food waste and compost that the school might produce while allowing citizens to drop off their compost. Ms. Raghu noted she felt this was a way to move away from plastic ultimately and she felt it was an amazing service. Ms. Raghu inquired if Councilors were interested in such a program, and if so, were they in favor of making room in the budget for such a program. Ms. Raghu inquired if she had permission to apply for the EPA grant for a 50% match of funds if the composting program was budgeted. Ms. Raghu advised the grant application was due in February and it was for up to \$200,000.

Mayor Rousmaniere advised she liked the idea of composting and would like to have a proposal in writing. Mayor Rousmaniere noted she understood the justification for it but not the mechanics. Mayor Rousmaniere inquired if it made sense to have just one location as a pilot program instead of 3.

Mr. Elliott inquired what the name of the company was and Ms. Raghu advised it was GoZero out of Dayton, Ohio.

Mr. Ellerbe advised he felt it was a great idea and that it should be discussed during the Budget Work Session.

Mr. Prytherch advised he was in favor of a composting program and he felt the General Fund was not the long term place to fund it. Mr. Prytherch advised the idea of piloting the program was a good idea to see how it works at a certain scale. Mr. Prytherch noted if the waste stream was reduced at Talawanda they might partner with the City.

Mr. Elliott advised he and staff would contact Talawanda and they would get a written proposal.

Mr. Ellerbe referred to comments made earlier from a citizen and advised he felt it was his job to avoid the "Tragedy of the Commons". Mr. Ellerbe advised there was an economist in the 1800's named William Lloyd who told a story of four towns that shared a common area where they had their cattle graze and it was their shared responsibility to maintain that area. Mr. Ellerbe noted one of them decided the other three would take care of the common area which escalated until all four towns stopped maintaining the commons and all of the animals died. Mr. Ellerbe noted there were various proposals that Council considers that range in scope of being outstanding for the community and in accordance with the Comprehensive Plan and other policies. Mr. Ellerbe advised there were other proposals that were blatantly selfish and noted he believed it was his job to determine which ones those were.

Mr. Ellerbe referred to the Neighborhood Conservation Overlay District Resolution that Council considered this evening and noted the entire neighborhood felt it was a good thing for their neighborhood. Mr. Ellerbe noted Council recently considered a certain zoning request that seemed a bit selfish and Council responded by asking the applicant to come up with zoning that facilitated mixed use and more closely aligned with the Comprehensive Plan. Mr. Ellerbe referred to the zoning map amendment that Council considered this evening and advised he felt it was a fantastic idea which more closely aligns with the Comprehensive Plan. Mr. Ellerbe again referred to comments made this evening from a citizen and advised he did not think Council was a giant landlord noting he did think they were individuals that are trying as hard they possibly could to make sure Oxford does not fall into a state of squalor due to the specific interests of small groups of people.

Mr. Dana reminded everyone that the Candidate Forum would take place Thursday, October 4th at 7:00 p.m. at the Knolls of Oxford.

Ms. Southard advised the Oxford Historic Cemetery Tour would take place Saturday, October 6th at 10:30 a.m. and noted the tour was in commemoration of the 100th anniversary of the end of World War I. Ms. Southard noted she and Steve Gordon would lead the tour and advised it was a continuation of the May Historic Preservation Tours. Ms. Southard noted preserving the historic character of the City of Oxford was a goal of the Comprehensive Plan. Ms. Southard advised a sub-committee of Steve Gordon, Valerie Elliott, Mike Smith and herself coordinated this tour as part of a community effort to increase awareness of historic Oxford.

Ms. Southard noted ground was broken recently for the new aquatic center and advised an Information Session would take place on October 11th at 6:30 p.m. at the Oxford Community Arts Center. Ms. Southard advised this would be an opportunity for citizens and the community to learn about and ask questions about the aquatic center and how it is going to operate. Ms. Southard noted the Oxford Historic Cemetery Tour and the Information Session fit in with some of the goals Council is trying to achieve which is to make Oxford even better than it already is.

Mr. Prytherch thanked Chief Jones and his staff noting the past weekend was a dynamic environment in which to police. Mr. Prytherch thanked Mr. Kyger for helping Oxford move forward.

Mr. Prytherch advised a priority of the Housing Advisory Commission was to work on ways to promote housing diversity and affordability. Mr. Prytherch noted the sub-committee discussed criteria to encourage a mixture of housing in a Planned Development. Mr. Prytherch advised the Housing Advisory Commission will start making recommendations to the Planning Commission which will ultimately come before Council.

Mr. Prytherch advised he, Mayor Rousmaniere and Mr. Kyger had been meeting with community members to discuss diversity in the business community and how to take a proactive approach to encourage diversity and vibrancy again in the business community. Mr. Prytherch noted the group is discussing ways to incentivize so the business community can be here year round and serve a lot of different people.

Mr. Prytherch advised he was invited to meet with the Health Coordinating Council and Amy Macechko to talk in part about the idea of hiring Crossing Guards for some of Talawanda's schools. Mr. Prytherch noted the group was receptive to the idea of the City partnering with the Talawanda School District.

Mayor Rousmaniere advised a group called the Town Gown Initiative Team made up of people from the university, the City, community members, school district and McCullough Hyde/TriHealth meet every two weeks to talk about initiatives that are going on between the university and the City. Mayor Rousmaniere noted their theme for this academic year was health and safety issues. Mayor Rousmaniere advised health meant healthy economy, physical health, mental health and cultural health. Mayor Rousmaniere noted it also includes the healthy aspects of transportation which includes public transportation, alternative transportation and environmental transportation.

ADJOURN

Mr. Dana moved to adjourn at 9:29 p.m. Ms. Southard seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: October 16, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 9, 2018

Date Prepared

Agenda Title: Legislative Authority Notice - Stock Transfer for Oxford Oil Service Co. DBA KDS Express 4985 College Corner Road Unit A Oxford, Ohio 45056

Recommendation:

Discussion: This is a stock transfer as indicated above.

Approved By:

Initial Date

Department Head:

City Manager:

DRE

10/12/18

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

6616779		STCK	OXFORD OIL SERVICE CO DBA KDS EXPRESS 4985 COLLEGE CORNER RD UNIT A OXFORD OHIO 45056
PERMIT NUMBER		TYPE	
ISSUE DATE			
05 17 2018			
FILING DATE			
C1 C2 D6			
PERMIT CLASSES			
09	088	A	F21128
TAX DISTRICT			RECEIPT NO.

FROM 10/04/2018

PERMIT NUMBER		TYPE	RECEIVED 10-9-18 City of Oxford
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 10/04/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/05/2018

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES

A STCK 6616779

(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

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

6616779

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 6616779; Name: OXFORD OIL SERVICE CO; DBA: DBA KDS EXPRESS; Address: 4985 COLLEGE CORNER RD UNIT A OXFORD 45056		
JAMES R T SMITH	52.00	PRESIDENT
RUTH E SMITH	48.00	SECR-TREA.

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CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: October 16, 2018

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 9, 2018

Date Prepared

Agenda Title: Notice to Legislative Authority - New Permit for Fridge & Pantry Inc. DBA Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056.

Recommendation: n/a

Discussion: The permit is for:

D3 - Spirituous liquor for on premises consumption only until 1:00 a.m.

Approved By:

Department Head:

Initial Date

City Manager:

\

DRE 10/12/18

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

29484280005		NEW	FRIDGE & PANTRY INC DBA FRIDGE & PANTRY UPTOWN MARKET 35 E CHURCH ST OXFORD OH 45056 RECEIVED 10-9-18 City of Oxford
PERMIT NUMBER		TYPE	
ISSUE DATE			
09 25 2018			
FILING DATE			
D3			
PERMIT CLASSES			
09	088	A	C14639
TAX DISTRICT		RECEIPT NO.	
FROM 10/04/2018			

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



MAILED 10/04/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/05/2018

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 2948428-0005

(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**

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

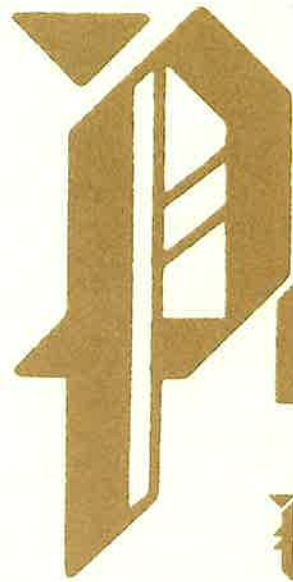
2948428

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 2948428; Name: FRIDGE & PANTRY INC; DBA: DBA FRIDGE & PANTRY UPTOWN MARKET; Address: 35 E CHURCH ST OXFORD 45056		
CODY COSTANZO	1000.00	PRESIDENT
DAVID ORTNER	1000.00	VICE PRES.
LAWRENCE KOLINSKI	2000.00	
MARK WEISMAN	2000.00	
NICOLE ORTNER	1000.00	SECRETARY
WILLIAM WEISMAN	2000.00	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)



Office of the Mayor

Proclamation

Whereas:

birds are present in every environment urban or rural, deciduous forest, wetland, or prairie and are an ever-present reminder that nature is all around us; and

WHEREAS, each spring and fall, Ohio is home to one of North America's largest bird migrations, and plays a critical role on an international scale for migratory birds, which have no national boundaries; and

WHEREAS, one in eight bird species is in danger of extinction, as migratory birds face numerous threats throughout their annual cycles from both natural and human-caused sources; and

WHEREAS, predation by domestic and feral cats is one of the greatest sources of human-related bird mortality in the country, and climate change and habitat loss pose serious threats to bird survival over the long term; and

WHEREAS, Hueston Woods State Park is designated an Audubon Important Bird Area and is home to the Avian Research and Education Institute Bird Banding Station; and

WHEREAS, Miami University is home to a bird blind ranked in the top twenty of all such facilities throughout the United States by the National Audubon Society; and

WHEREAS, 2018 is the centennial year of the Migratory Bird Treaty Act, which protects over 1,000 species of migratory birds including dozens of Warbler species, the American Robin, Baltimore Oriole, Indigo Bunting, Carolina Wren, Ruby-throated Hummingbird, Pileated Woodpecker, Sandhill Crane, Northern Cardinal and Bald Eagle; and

WHEREAS, migratory birds are among nature's most magnificent resources and their conservation is a critical and challenging endeavor for the Migratory Bird Program and all who value nature.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim 2018 to be:

'YEAR OF THE BIRD'

in Oxford, Ohio, and urge all citizens to take due note of the observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 16th day of October 2018.

KATE ROUSMANIERE, MAYOR



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meetings of: October 16, 2018

Account Code #: 143.490.64701

Budgeted Amount: \$ 2,213,500

Service Department

Originating Department

Michael Dreisbach, Service Director

Prepared By

Oct. 8, 2018

Date Prepared

Agenda Title: Purchase of Furnishings for new Police Division Headquarters at 101 E. High St.

Recommendation: Approve

Discussion:

In December 2017, the City Council authorized a \$158,137.08 contract with Friends Service Company, Inc. to provide furnishings for the new Municipal Building at 15 S. College Ave. This contract utilized State of Ohio Dept. of Administrative Services pricing. The City is very pleased with the quality of the furnishings purchased through Friends Service Co.

City Staff has been working with interior designers to develop quantities and specifications for the furnishings necessary to equip the new Police Division headquarters. Typical furnishings include laminated surface desks and tables (similar to those currently in use), training facility tables and chairs, office desks and guest chairs, lobby seating, partition panels, bookcases, and file cabinets. Desks will have a mahogany toned laminate finish with charcoal colored cabinets and the same color scheme being used at the Municipal Building.

Pricing for specified equipment is available through the State of Ohio State Term Schedule Contract – # 800290. This contract meets Ohio procurement specifications and do not require rebidding. Friends Service Company, Inc. has provided the following pricing to meet City specifications and quantities per plan:

Ohio DAS STS # 800290 \$126,104.25

It is Staff's recommendation that the City Council authorize the City Manager to enter into an Agreement with Friends Service Company, Inc. for the purchase of specified furnishings for an amount of \$126,104.25. Staff is requesting a contingency amount of 10% for this project in the amount of \$12,610.43, therefore the total amount not to exceed for this contract is \$138,714.68.

Approved By:

Department Head:

Initial Date

MBD 10/8/18

City Manager:

DRE 10/12/18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FRIENDS SERVICE COMPANY, INC. FOR THE PURCHASE OF SPECIFIED FURNISHINGS FOR THE NEW POLICE DIVISION HEADQUARTERS LOCATED AT 101 E. HIGH STREET THROUGH STATE CONTRACT PRICING AT A COST OF \$126,104.25 PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$12,610.43 FOR A TOTAL COST NOT TO EXCEED \$138,714.68.

WHEREAS, the City has contracted for the renovation of the former Municipal Building located at 101 E. High Street to provide additional space for the Police Division Headquarters; and

WHEREAS, City staff has worked with interior designers and specifically Friends Service Company, Inc. to develop quantities and specifications for the furnishings necessary to equip the new building; and

WHEREAS, pricing for specified furnishings is available through the State of Ohio Term Schedule Contract #800290; and

WHEREAS, the City Manager and the Service Director recommend City Council authorize the City Manager to enter into an agreement with Friends Service Company, Inc. for the purchase of specified furnishings for the new Police Division Headquarters located at 101 E. High Street through State contract pricing at a cost of \$126,104.25 plus a contingency amount of ten percent (10%) of the contract price or \$12,610.43 for a total cost not to exceed \$138,714.68.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the State contract pricing for the purchase of specified furnishings for the new Police Division Headquarters located at 101 E. High Street.

SECTION 2: Council further authorizes the City Manager to enter into an agreement with Friends Service Company, Inc. for the purchase of specified furnishings for the new Police Division Headquarters located at 101 E. High Street through State Contract pricing at a cost of \$126,104.25 plus a contingency amount of ten percent (10%) of the contract price or \$12,610.43 for a total cost not to exceed \$138,714.68.

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

MAYOR

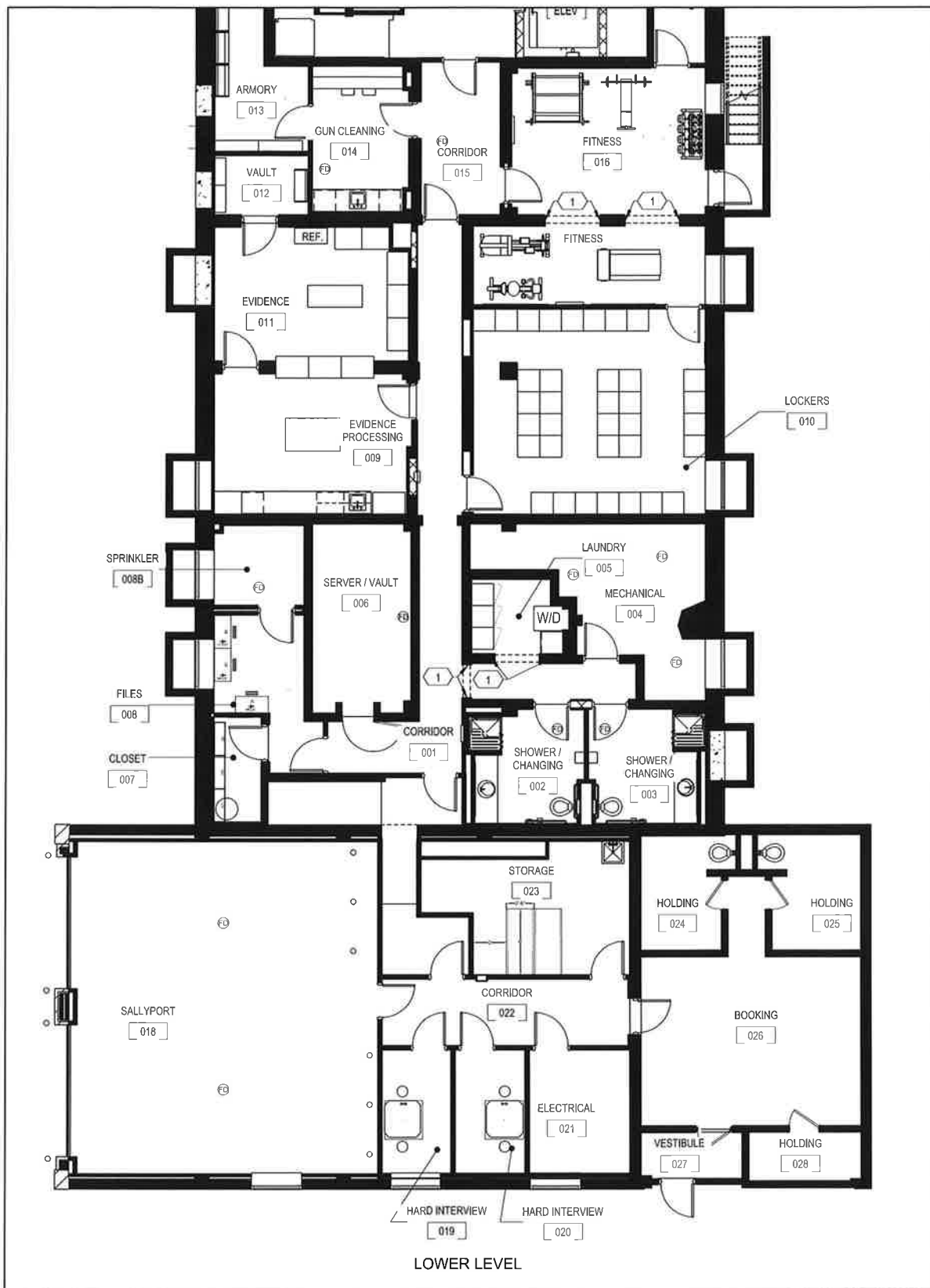
ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

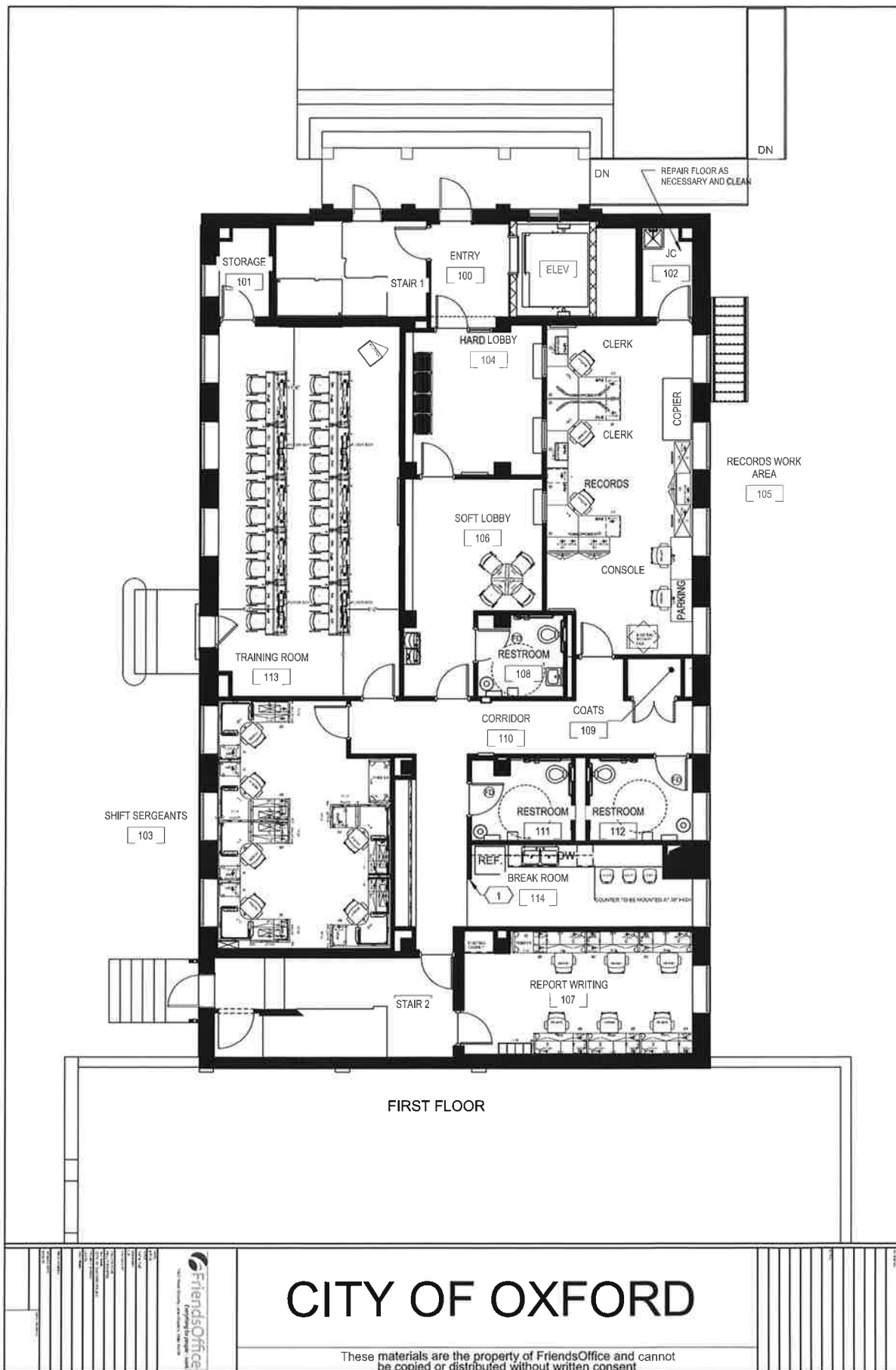
INTRODUCED BY: KATE ROUSMANIERE

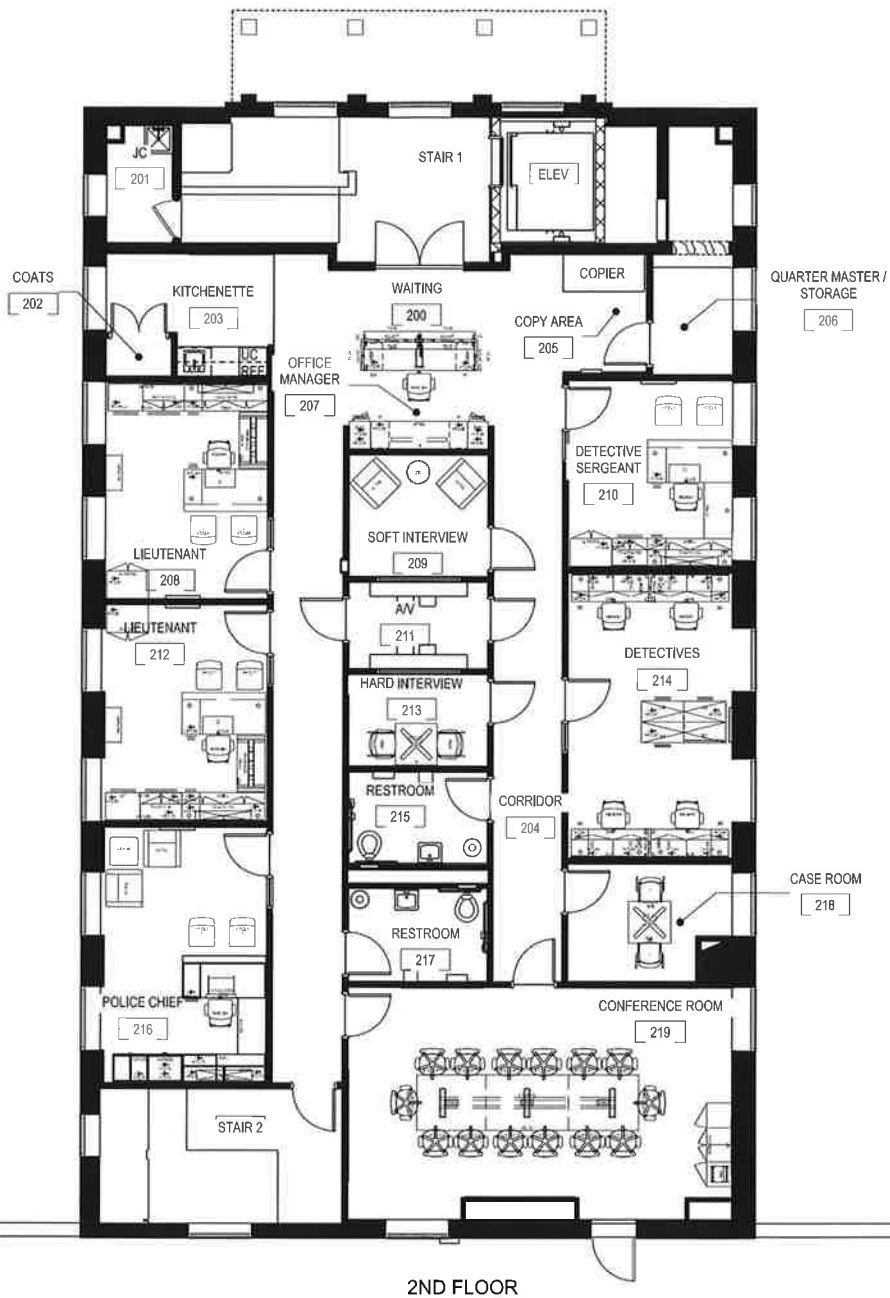
PREPARED BY: LAW(STAFF)



CITY OF OXFORD

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2ND FLOOR

CITY OF OXFORD

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CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: October 16, 2018

Account Code #: N/A

Budgeted Amount: N/A

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

September 18, 2018

Date Prepared

Agenda Title: Notice of Actual Costs for Special Assessment Improvements

Recommendation: Approve

Discussion:

On March 20, 2018, the Oxford City Council passed Resolution No. 6068 declaring the necessity to improve portions of certain properties on multiple streets in the City of Oxford. An exhibit with this Resolution identified properties that required improvements to the property's curb, gutter, sidewalk and/or driveway apron in the Right of Way (ROW).

On May 15, 2018, the Oxford City Council passed Resolution No. 6085 authorizing a construction contract with Jackson Construction, Inc. for the removal and replacement of substandard curb, gutter, sidewalk, and driveways. Jackson Construction, Inc. has completed all work necessary associated with this contract.

Since receiving notice of City's intention to move forward with improvements, several property owners elected to have the work done under their own control and at their own cost. Forty properties elected to have the City construct the required improvements. Per Ohio Revised Code 729.07, the attached Exhibit "A" details the actual costs incurred by the City for each property electing improvements via special assessment on their property taxes.

Upon approval of this Resolution, these costs will be filed with the Clerk of Council for public inspection. The City will also publish a notice weekly for three consecutive weeks in the *Journal News* detailing the parcels involved and the actual costs of the work performed. If an owner objects to the assessment, they must file their objection in writing with the Clerk of Council within two weeks after the expiration of the notice.

The City Council will have the opportunity to review any objection and then consider adopting an Ordinance levying the costs of improvements upon the parcels as detailed in Exhibit "A". The Ordinance must detail the number of annual installments, in this case five (5), with City assessed interest on deferred payments at a rate of 5%. The owner may also pay cash for the assessment within 30 days after passage of the Assessing Ordinance.

Staff recommends Council authorize the Clerk to make said assessment costs available for public inspection and to publish such weekly in the *Journal News* for a period of three consecutive weeks. The Clerk shall then report to Council any objections to the assessments that may be received prior to an assessment authorizing Ordinance.

Approved By:

Department Head:

Initial

Date

MBS

9/20/18

City Manager:

DRE 10/12/18

RESOLUTION NO.

A RESOLUTION DETERMINING THE TOTAL COST OF THE ASSESSMENT BY LOT, AUTHORIZING THE LIST OF ASSESSMENTS BY LOT TO BE FILED WITH THE CLERK OF CITY COUNCIL AND ORDERING THE SAME BE OPENED FOR PUBLIC INSPECTION AND AUTHORIZING THE CLERK OF CITY COUNCIL TO PUBLISH NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION THAT THE LIST OF ASSESSMENTS BY LOT IS AVAILABLE FOR PUBLIC INSPECTION.

WHEREAS, Pursuant to Ohio Revised Code 729.07, the City of Oxford Clerk of Council has reported to the Oxford City Council that the final cost of construction and repair of sidewalks, curbs and gutters was \$93,854.80; and

WHEREAS, Pursuant to Ohio Rev. Code 729.07, Oxford City Council authorized the creation of a list of estimated assessments ("Exhibit A"), which includes the total cost of construction, repair or installation to each lot or land abutting such construction, repair or installation.

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

SECTION I: Pursuant to Ohio Rev. Code 729.07, Council authorizes Exhibit A to be filed with the Clerk of Council and be made available for public inspection.

SECTION 2: Pursuant to Ohio Rev. Code 729.08, Council authorizes the Clerk of Council to publish a notice in the *Journal News* for three (3) consecutive weeks stating that Exhibit A is on file with the Clerk of Council and is available for public inspection. The notice shall further state that any person who objects to an assessment listed on Exhibit A must file his/her objections in writing with the Oxford Clerk of Council within two (2) weeks after the expiration of the notice.

SECTION 3: Pursuant to Ohio Rev. Code 729.09, the Clerk of Council shall deliver any written objections to City Council for review and City Council will adopt an ordinance levying upon the lots and lands listed in Exhibit A the final assessment amounts with such changes or corrections as Council deems proper. The ordinance shall state that the assessments are payable over no more than five (5) annual installments, with interest on deferred payments at the rate of 5%. The ordinance shall also state that assessments can be paid in full in cash within 30 days after passage of the ordinance.

SECTION 4: This Resolution 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)

Exhibit "A"

2018 Curb, Gutter, & Sidewalk Replacement & Construction												
PROPERTY LIST												
Direct Address	Street Name	Property Owner	Parcel #	Lineal Ft Curb	Square Feet Sidewalk	Square Feet Sidewalk thru driveway	Square Ft Drive Apron	Square Ft Apron Remove Only	Final Cost	Estimated Cost	Cost Difference	
15	E SYCAMORE	OBW LLC	H4100007000137	35	50	0	66		\$2,738.30	\$3,019.00	-\$280.70	
30	E SYCAMORE	TONY MILLER BUILDERS LLC	H4000011000018	0	25				\$222.50	\$1,000.00	-\$777.50	
101	E SYCAMORE	ROBERT L BLACKBURN TR	H4100007000139	25		0	96		\$2,226.80	\$2,089.00	\$137.80	
401	N POPLAR	RODBRO AND MYERS INVESTMENTS LLC	H4100011000004	40					\$1,712.00	\$1,600.00	\$112.00	
104	E SYCAMORE	MPR IV LLC	H4100011000003	30	75	100	120		\$4,387.50	\$3,860.00	\$527.50	
105	E SYCAMORE	TERRY MICHAEL DUDLEY	H4100007000140	5	25				\$436.50	\$400.00	\$36.50	
117	E SYCAMORE	ROBERT L BLACKBURN TR	H4100007000206	0	50				\$445.00	\$800.00	-\$355.00	
118	E SYCAMORE	PENSCO TRUST CO LLC	H4100010000036	10	100	25	36		\$1,999.30	\$1,749.00	\$250.30	
119	E SYCAMORE	ROBERT L BLACKBURN TR	H4100007000205	5	25				\$436.50	\$800.00	-\$363.50	
120	E SYCAMORE	DUDLEY PRIME PROPERTIES LLC	H4100010000037		100				\$890.00	\$800.00	\$90.00	
324	N CAMPUS	ROBERT L BLACKBURN TR	H4100007000204	88	0		0		\$3,766.40	\$5,130.00	-\$1,363.60	
323	N CAMPUS	AK OXFORD PROPERTIES LLC	H4100006000026	97	50				\$4,596.60	\$6,680.00	-\$2,083.40	
217	E SYCAMORE	MARCIA G BRADLEY	H4000006000027	40	275				\$4,159.50	\$3,800.00	\$359.50	
224	E SYCAMORE	GOLD DUST PROPERTIES LLC	H4000010000047		75				\$667.50	\$800.00	-\$132.50	
322	E UNIVERSITY	KEITH E & PENNY GREGORY	H4000006000028	57	50		72		\$3,752.20	\$4,128.00	-\$375.80	
301	E SYCAMORE	NPEF CORP & ALPHA PHI OF ZETA BETA TAU HOUSE CORP	H4100006000115	55	25	0			\$2,576.50	\$3,850.00	-\$1,273.50	
314	BISHOP	DELTA KAPPA EPSILON	H4100006000121	45	175				\$3,483.50	\$3,800.00	-\$316.50	
401	E SYCAMORE	ALPHA CHAPTER HOUSE ASSN OF SIGMA CHI FRATERNITY	H4100006000137	68	125				\$4,022.90	\$4,320.00	-\$297.10	
320	TALLAWANDA	PHI KAPPA TAU CHAPTER HOUSE ASSN	H4100006000138 & H4100006000139	50	25	100	90		\$4,437.00	\$5,310.00	-\$873.00	
1011	ARROWHEAD	H&P PROPERTIES INC	H40001140000012	0	150				\$1,335.00	\$2,280.00	-\$945.00	
1014	ARROWHEAD	OXFORD OFF CAMPUS STUDENT HOUSING LTD	H4100114000037	0	120				\$1,068.00	\$1,760.00	-\$692.00	
1018	ARROWHEAD	OXFORD OFF CAMPUS STUDENT HOUSING LTD	H4100114000038	20	130				\$2,013.00	\$2,640.00	-\$627.00	
1021	ARROWHEAD	D & J OXFORD ENTERPRISES LLC	H4000114000059	53	0		200		\$4,678.40	\$4,560.00	\$118.40	
1027	ARROWHEAD	MARY BARONE	H4100114000059	0	25	25			\$470.00	\$1,225.00	-\$755.00	
1031	ARROWHEAD	JAW REALTY LLC	H4100114000057	0	25	0	70		\$1,066.00	\$2,495.00	-\$1,429.00	
1032	ARROWHEAD	DAVID C SABO	H4100114000041	20	255	75			\$3,868.00	\$3,515.00	\$353.00	
1035	ARROWHEAD	JASON & STEPHANIE REYNOLDS	H4100114000056	20			70		\$1,699.50	\$1,430.00	\$269.50	
1036	ARROWHEAD	ROBERT W BLACK & SHANA ROSENBERG	H4100114000042	21			60		\$1,621.80	\$1,780.00	-\$158.20	
1039	ARROWHEAD	SHAWN MICHAEL & ELIZABETH ANN SEXTON TR	H4100114000055	64	50	0	75		\$4,087.95	\$4,660.00	-\$572.05	
97	ACORN	NANCY M WELLS & JOHN L REILLY	H4100129000002	31		20	76		\$2,440.60	\$2,509.00	-\$68.40	
103	ACORN	JEFFREY L TRIPLETT	H4100129000004	44	50		40		\$2,810.20	\$2,720.00	\$90.20	
107	ACORN	HARLEY D AND BRITTANY N ISAACS	H4100129000005	20	50	0			\$1,301.00	\$1,425.00	-\$124.00	
109	ACORN	ALAN S MARCUS	H4100114000046	34	0		45		\$1,997.45	\$2,565.00	-\$567.55	
114	ACORN	S.S. RAMA RAO PAPPU	H4000114000054	50	75				\$2,807.50	\$3,600.00	-\$792.50	
115	ACORN	JOSEPH W LEONARD & ETSUKO LEONARD CO TR	H4000114000048	53			60		\$2,991.40	\$2,660.00	\$331.40	
119	ACORN	CHRISTOPHER G & GRACIA M ACHESON	H4100114000049	60	25		0		\$2,790.50	\$3,635.00	-\$844.50	
120	ACORN	DAVID WALSH & SUSAN HURST	H4100114000053	30			75		\$2,187.75	\$1,875.00	\$312.75	
123	ACORN	DAVID L FORRESTER	H4100114000050	26	50	50	100		\$3,257.80	\$2,790.00	\$467.80	
124	ACORN	NICOLE & CHRISTOPHER L SHIFLETT	H4100114000052	5					\$214.00	\$200.00	\$14.00	
127	ACORN	CHRISTINE R STARKEY	H4000114000051	24	0		105		\$2,292.45	\$2,305.00	-\$12.55	
SUBTOTALS FOR BID SCHEDULE I PROPERTIES				1225	2255	395	1456	0	\$93,954.80			

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: October 16, 2018

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

September 27, 2018

Date Prepared

Agenda Title: Authorization to Submit Eligible Projects to Butler County Board of Commissioners for the 2019 CDBG Program Year Application

Recommendation: Approval

Discussion:

The City expects to receive approximately \$113,000 in FY2019 from Community Development Block Grant (CDBG) funds administered by the Butler County Board of Commissioners. Of this amount, \$96,000 will be available for eligible improvements in the City of Oxford. These funds have traditionally been used for the removal of architectural barriers from street corners in the City and the installation of new handicapped accessible ramps to improve access to the City's sidewalk network. The balance of the funds (\$17,000) will be used for administration of the CDBG program.

Application for these funds requires a Resolution of Council recommending the project. Staff is completing the City's application, due November 21, 2018 and has compiled a listing of proposed sidewalks and curb ramps for reconstruction to meet ADA requirements; this listing is attached as Exhibit "A". It is Staff's recommendation that the City Council authorize the City Manager to submit an application to Butler County for 2019 CDBG funds for these purposes.

Once funds have been approved by the federal government (HUD), Staff will advertise the project for bids (typically in fourth quarter of the year), and present a recommended contract for construction to the City Council for contract authorization.

Approved By:

Department Head:

Initial

Date

MB

9/27/18

City Manager:

DRE

10/12/18

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT ELIGIBLE PROJECTS TO THE BUTLER COUNTY BOARD OF COMMISSIONERS FOR THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) YEAR APPLICATION.

WHEREAS, the City Manager authorizes construction projects for sidewalk and handicap ramp improvements by utilizing CDBG funds administered by the Butler County Board of Commissioners; and

WHEREAS, the City will receive approximately \$113,000.00 from CDBG funds in 2019. Of these funds, \$96,000.00 will be used for sidewalk and handicap ramp improvements within the City of Oxford as set forth on Exhibit "A" attached hereto. The remaining \$17,000.00 or approximately fifteen percent (15%) of the funds will be used for the administration of the program.

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

SECTION 1: The City Manager is authorized to submit the recommended projects for year 2019 funds and to take all actions necessary to comply with all requirements and commitments for approval of the projects.

SECTION 2: Once HUD has approved the funds for the projects, the City will advertise the projects for bids and authorize a contract for sidewalk and handicap ramp improvements within the City of Oxford.

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)

2019 CDBG Sidewalks and Handicap Ramp Improvements

Exhibit "A"

9/24/2018 - EK

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	NOTES
Tallawanda & High	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NW	0	660	2	
SE	0	150	1	
SW	0	150	1	
Withrow & Main	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
SE	20	60	1	
Withrow & Beech	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NE	30	150	2	
NW	30	150	2	
SE	30	150	2	
SW	30	180	2	
Withrow & College	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NE	30	150	2	
NW	30	150	2	
SE	30	150	2	
SW	30	150	2	
Withrow & Elm	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NE	40	150	2	
NW	40	150	2	
SE	40	200	2	
SW	40	250	2	
Vine & College	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NE	40	200	2	
NW	40	200	2	
SE	40	200	2	
SW	40	200	2	
Vine & Elm	Alternate for 2018 FUNDS (Defer to 2019)			MILE SQUARE
NE	30	250	2	
NW	30	200	2	
SE	35	250	2	
SW	30	200	2	
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	
Totals of each	705	4700	45	
Price per ft / sq ft / ea +10%	\$ 41.00	\$ 10.00	\$ 250.00	
Total estimate based on 2017 +10%	\$ 28,905.00	\$ 47,000.00	\$ 11,250.00	
CDBG Funds Awarded Contract				
Total Estimate	\$ 87,155.00			

Alternates to 2019 CDBG Sidewalks and Handicap Ramp Improvements

9/24/2018 - EK

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	NOTES
Dana & Ryan (East)	Alternate for 2019 FUNDS			
NE	20	60	1	
NW	20	100	1	
Dana & Ryan (West)	Alternate for 2019 FUNDS			
NE	20	100	1	
NW	20	100	1	
SE	20	100	1	
SW	20	100	1	
Dana & Randall	Alternate for 2019 FUNDS			
NE	25	125	1	
SE	25	125	1	
Dana & Josie	Alternate for 2019 FUNDS			
NW	25	125	1	
SW	25	125	1	
Maxine & Melissa	Alternate for 2019 FUNDS			
NE	0	150	1	
NW	0	100	1	
Maxine & Sandra	Alternate for 2019 FUNDS			
NE	20	150	1	
NW	20	150	1	
SW	20	150	1	
Sandra & Glenview	Alternate for 2019 FUNDS			
NE	0	60	1	
NW	0	60	1	
	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk / Ramp Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp	
Totals of each	280	1880	17	
Price per ft / sq ft / ea +10%	\$ 41.00	\$ 10.00	\$ 250.00	
Total estimate based on 2017 +10%	\$ 11,480.00	\$ 18,800.00	\$ 4,250.00	
CDBG Funds Awarded Contract				
Alternate Estimate	\$ 34,530.00			

Applicant: _____
 Project Title: _____
 Project Priority: # _____ of _____ Application Submissions

Departmental Use Only:	
Date Received:	_____
Received By:	_____



BUTLER COUNTY COMMUNITY DEVELOPMENT

2019 Application for: **CDBG & HOME** Programs

Due Date: November 21, 2018 by 4:00 pm



SECTION I: APPLICANT INFORMATION

Applicant: _____
 Contact Person: _____
 Title: _____
 Address: _____
 Phone 1: _____ Phone 2: _____
 Fax: _____ E-Mail: _____

SECTION II: PROJECT DESCRIPTION

A. **NATIONAL OBJECTIVE** *(select one)*

- | | |
|--|----------------------------|
| _____ Benefits low and moderate income people: Area Benefit | Complete Section III - A-1 |
| _____ Benefits low and moderate income people: Limited Clientele | Complete Section III - A-2 |
| _____ Eliminates slum and blight. | Complete Section III - B |
| _____ Corrects an urgent need. | Complete Section III - C |

B. **PROJECT TYPE** *(select one)*

- | | |
|----------------------------------|-------------------------|
| _____ Housing Project | Complete Section VI - A |
| _____ Public Improvement Project | Complete Section VI - B |
| _____ Public Service Project | Complete Section VI - C |

C. **DIRECT IMPACT**

- _____ Number of Households who will directly benefit from this project.
 _____ Number of People who will directly benefit from this project.

D. **PROJECT NARRATIVES** *(complete as an Attachment)*

1. How will this project impact the community?
2. How does this project address the National Objective?
3. What is the current status of the project?
4. What are the quantifiable results? *(i.e. feet of sidewalk, number of buildings renovated, number of people assisted, additional jobs created, etc...)*
5. How do you expect to measure the success of the project?

SECTION III: NATIONAL OBJECTIVE

A-1. Low / Moderate Income Benefit: Area

This project qualifies as an LMI area as determined by which of the following:

☐ **Census** Census Tract: _____
 Census Block Group(s): _____
 Population: _____
 LMI percentage: _____

☐ **Income Survey** *Provide Surveys & Survey Summary as Attachment.*

 Number of Households: _____
 Number of LMI Households: _____
 Percentage of LMI Households: _____
 Number of Residents: _____
 Number of LMI Residents: _____
 Percentage of LMI Residents: _____

A-2. Low / Moderate Income Benefit: Limited Clientele

Who does this project primarily benefit?

☐ Disabled ☐ Elderly ☐ Homeless ☐ Other _____

How many people will benefit from this project? _____

B. Elimination of Slum or Blighted Condition *(Municipal Resolution required.)*

1. What is the condition to be addressed by the project?
2. Describe the strategy that will be implemented to address the condition:

C. Urgent Need

1. What is the condition that is causing a threat to the health and welfare of the community?
2. When did this condition occur?
3. From what sources did the community seek to address this problem?

SECTION IV: PROJECT LOCATION

A. **Address:** _____
 City: _____ Zip: _____
 Jurisdiction: _____

B. **Census:** Tract: _____ Block Group: _____

C. **Base Map:** *Provide a Base Map as an Attachment, clearly indicating the following:*
 ♦ Location of the project. ♦ Service area of the project.

SECTION V: BUDGET

A. GENERAL

- Original cost estimate is required as an Attachment.
- Estimate must be itemized and prepared by a third party, and signed by a qualified source.
- Any project above \$2,000 must adhere to Federal Prevailing Wages.
- Local funding match must include a Resolution / Ordinance of financial commitment.

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Prevailing wages have been included in the estimate. | ☐ | ☐ |
| 2. Architectural / Engineering fees are included in the estimate. | ☐ | ☐ |
| 3. Estimate provided is valid for what time period? | <hr/> | |

B. FUNDING

HUD	\$	
Local	\$	
Other*	\$	
TOTAL PROJECT COST:	\$	

** Explain any additional resources which have been applied for, and the status.*

Butler County Engineers Office needs 30 days notice to prepare your estimate. Contact Melissa Taylor at BCEO by PH: 513-785-4115 or email: TaylorM@bceo.org **by October 5, 2018** to request an estimate

SECTION VI: PROJECT DEVELOPMENT

A. HOUSING PROJECT

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Do you own the property? | ☐ | ☐ |
| 2. Does this project involve real property acquisition? | ☐ | ☐ |
| 3. Will this project cause the relocation of residents? | ☐ | ☐ |
| 4. How many households will directly benefit from this project? | <hr/> | |
| 5. Who will be responsible for the maintenance of this project upon completion? | <hr/> | |

B. PUBLIC IMPROVEMENT PROJECT

- | | Yes | No |
|--|--------------------------|--------------------------|
| 1. Does this project involve real property acquisition? | ☐ | ☐ |
| 2. Will this project cause the relocation of residents? | ☐ | ☐ |
| 3. Has engineering been completed on this project? | ☐ | ☐ |
| 4. Will this project result in assessments to residents? | ☐ | ☐ |

PUBLIC IMPROVEMENT PROJECT- CONTINUED

5. How many households will directly benefit from this project? _____
6. Who will be responsible for the maintenance of this project upon completion?

7. Are there any current situations that may affect the timing of this project?

C. PUBLIC SERVICE PROJECT

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Is this project a continuation of an existing service? | ☐ | ☐ |
| 2. Is this project an expansion of an existing service? | ☐ | ☐ |
| 3. If this service is not currently provided, are there sufficient staff to implement this service? | ☐ | ☐ |
| 4. Has CDBG funding been received previously to provide this service? | ☐ | ☐ |
| If yes, when? _____ | | |
| 5. How many people will directly benefit from this service? | _____ | |

SECTION VII: ENDORSEMENT

I, the undersigned, as official representative of the applicant, hereby acknowledge that if a grant is awarded, the terms, conditions, and budget pursuant to the Action Plan submitted to the U.S. Department of Housing and Urban Development, and the sequential Project Agreement between Butler County Board of Commissioners and the applicant will be the limit of participation from the Board of Commissioners of Butler County.

I also hereby certify that the information contained in this application is true and accurate to the best of my knowledge.

Name

Title

Signature

Date

Municipalities:

Each application from a municipality must contain a copy of a resolution from the Board of Trustees or Village / City Council endorsing the submission of the project application, stating the amount of the grant request in the application, and the amount to be contributed by the municipality for the project.

Not-For-Profit Organizations:

Each application from a not-for-profit organization must contain a resolution from the organization's Board of Directors endorsing the submission of the application, stating the amount of the grant request in the application, and stating the amount to be contributed by the organization.

A SEPARATE RESOLUTION IS REQUIRED FOR EACH APPLICATION

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: October 16, 2018

Candi Fyffe

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 11, 2018

Date Prepared

Agenda Title: An Ordinance Establishing Salaries And Certain Benefits For Salaried and Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2019 Through December 31, 2019.

Recommendation: Approve.

Discussion: Changes are indicated by strikeout and have been approved by the City Manager.

Section 1. The Parks & Recreation Department is creating the full-time position of Aquatics/Program Coordinator.

Section 1. The Police Division is adding one (1) full-time police officer.

Section 1. The Service Department is adding one (1) full-time custodian.

Section 1. The Engineer position in the Engineering Division is being corrected to Pay Band 6 where a licensed engineer is required.

These changes will result in total authorized full-time personnel of one hundred nineteen (119) full time employees.

Section 2. Staff is implementing a three percent (3%) cost of living (COLA) increase or a market adjustment.

Section 2.A. Staff is removing the word "up" from this section to say "rounded to the nearest penny".

Section 2.E. Staff is implementing the method of payment to full-time salaried employees who are deployed to work under state or federal declared emergency conditions.

Section 3. Staff is raising the maximum compensation of some part-time positions by increasing the rate by three percent (3%).

Section 3. Staff is eliminating the part-time Accounting Assistant position in the Finance Department.

Section 3. Staff is eliminating one (1) part-time Program Coordinator positions in the Parks & Rec Department.

Section 3. Staff is eliminating one (1) part-time Captain position in the Fire Department.

Section 4. Staff is increasing the seasonal Park/Rec Techs by ten (10) due to new aquatic center opening in 2019.

Section 6. D. Staff revised the paragraph surrounding maximum hours to be worked by part-time firefighters for clarity.

Attachment A: The pay bands have been increased by 3% for 2019.

Attachment B. Fire Captain Salary Schedule. This section was revised to show a 3% COLA increase for Fire Captains.

Attachment B. Firefighter/Paramedic Salary Schedule. This Section was revised to show a 3% increase for Firefighter/Paramedics.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

[Signature] 10/11/18

[Signature] 10/12/18

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING SALARIES AND CERTAIN BENEFITS FOR SALARIED AND HOURLY FULL-TIME AND PART-TIME EMPLOYEES WITHIN THE SERVICE OF THE CITY OF OXFORD, OHIO, PAID FROM JANUARY 1, ~~2018~~2019 THROUGH DECEMBER 31, ~~2018~~2019.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT THE SALARIES, WAGES AND CERTAIN BENEFITS FOR A NUMBER OF OFFICIALS AND EMPLOYEES OF THE CITY OF OXFORD BE FIXED AS FOLLOWS:

SECTION 1: The following full-time positions are hereby established with respect to position title, authorized number and pay range:

Position	Type	Authorization # of Employees	Pay Band
Office of the City Manager			
City Manager	NC	1	By Contract
Assistant to the City Manager	NC	1	5
Human Resources Director	NC	1	7
Clerk of Council/AAll	NC	1	4
Economic Development Department			
Economic Development Director	NC	1	7
Finance Department			
Finance Director	NC	1	By Contract
Assistant Finance Director	NC	1	6
Payroll Specialist	C	1	5
Finance Specialist	C	1	5
Accounting Specialist	C	1	4
Utility Collections Specialist	C	2	4
Law Department			
Law Director	NC	1	By Contract
Parks & Recreation Department			
Parks & Recreation Director	NC	1	7
Recreation Programs Supervisor	C	1	5
Sports Activities Supervisor	C	1	5
Office Manager	NC	1	5
Receptionist	C	1	1
Sports Coordinator	C	1	3
Aquatics/Program Coordinator	C	1	3

Community Development Department			
Community Development Director	NC	1	7
Planner	C	1	6

Admin Asst to Director (Tech)	NC	1	5
Administrative Assistant II	NC	2	3
Safety Department – Fire Division			
Fire Chief/Inspector	NC	1	7
Fire Captains *See Attachment B	C	3	6
Firefighter/Paramedics *See Attachment B	C	6	5
Administrative Assistant II	NC	1	3
Safety Department – Police Division			
Police Chief	NC	1	7
Police Lieutenant	C	2	By Contract
Police Sergeant	C	6	By Contract
Police Officer	C	4718	By Contract
Public Safety Assistant	C	3	By Contract
Police Records Specialist	C	1	By Contract
Dispatcher/Clerk	C	6	By Contract
Office Manager	NC	1	5
Service Department			
Service Director	NC	1	7
Environmental Specialist	C	1	5
Administrative Assistant III	NC	1	4
Custodian	NC	42	1
Engineering Division			
City Engineer	C	1	6
Engineer	C	1	56
Engineering Aide	C	1	4
Streets and Maintenance Division			
Streets and Maintenance Manager	C	1	6
Equipment Mechanic	C	1	5
Parks Maintenance Supervisor	C	1	5
Street Operations Specialist	C	1	4
Service Workers		10	
Wastewater Division			
Collection			
Wastewater Collection Manager	C	1	6
Service Workers		4	
Plant			
Wastewater Plant Manager	C	1	6
WWTP Laboratory Technician	C	1	3
Plant Mechanic II	C	1	4
Plant Mechanic I	C	1	3
Service Worker I	NC	1	1

WWTP Operators		3	
Water Division			
Distribution			
Water Distribution Manager	C	1	6
Service Workers		4	
Plant			
Water Plant Manager	C	1	6
Utility Maintenance Technician	C	1	2
Utility Meter Reader	NC	1	1
Water Plant Operators		2	
TOTAL Full-Time Budgeted:		116119	

NC = Non-Classified Employee
C = Classified Employee

SECTION 2: The compensation plan setting forth the range of base pay bands for each position title, being pay bands 1 through 7, is attached hereto (Attachment A) and incorporated herein as the Base Pay Band Provisions.

- A.** Adoption of this ordinance reflects a 3% increase rounded ~~up~~ to the nearest penny of all employees not covered by a collective bargaining agreement. The Finance Director, Law Director and City Manager shall also receive the same increase to their current base salaries.
- B.** The City Manager, except as otherwise provided in the charter, is authorized to establish the starting salary not to exceed the position's market midpoint.
- C.** The City Manager is hereby authorized to increase an employee's salary not to exceed 5.0% within the same position per calendar year.
- D.** The City Manager is hereby authorized to increase an employee's salary not to exceed the market midpoint of the new position when a promotion occurs where an employee moves to a higher job classification.
- D.E.** Where salaried employee(s) of the City of Oxford are traveling outside of Butler County, Ohio under O.R.C. 5502.35; to work under state or federal declared emergency conditions, said employee will be entitled to overtime at a rate determined as follows: divide the employee's annual salary by the sum by 2080 hours and multiply that dividend by 1.5. This will equal the rate of expected reimbursement (from either OEMA, EMAC, FEMA, etc.) for any work exceeding 8 hours per day. Work hours are determined by employee(s) normal scheduled work hours. Salaried employees will be paid the "overtime amount" in the form of a bonus. Furthermore, the City Manager authorizes employees to utilize either vacation time or comp time during EMAC / National deployments.

SECTION 3: The following part-time positions are hereby established with respect to position title, authorized number, minimum and maximum compensation (rate per hour except as otherwise indicated) The City Manager is hereby authorized to increase an employee's salary not to exceed 5.0% within the same position per calendar year not to exceed the maximum rate per hour.

Position	Authorization # of Employees	Minimum Pay Rate	Maximum Pay Rate
Finance Department			
Accounting Assistant	1	\$12.00	\$15.45
Parks & Recreation Department			
Park/Recreation Technician	5	\$8.50	\$ 12.36 12.73
Program Coordinator	43	\$8.50	\$ 15.45 15.91
Senior Program Coordinator	1	\$10.00	\$ 16.74 17.24
Custodian	3	\$11.00	\$ 14.42 14.85
Community Development Department			
Zoning Inspector	1	\$18.00	\$25.00
Service Department			
Deputy Director	1	\$25.00	\$ 41.86 43.12
Laborers	4	\$8.50	\$ 13.39 13.79
Streets & Maintenance Division			
Wastewater Collection			
Water Plant Operators	2	\$17.00	\$ 21.63
Safety Department – Fire Division			
Part-Time Firefighters/EMTs	30	\$12.00	\$ 17.51 18.04
Firefighters or EMTs	64	N/A	\$12.00
Fire Division Captains	32	N/A	\$ 18.54 19.10
Fire Division Lieutenants	1	N/A	\$ 17.51 18.04
Safety Department – Police Division			
Property Custodian	1	\$20.00	\$ 28.21/hr 29.06
Community Outreach Specialist	1	\$20.00	\$ 28.21/hr 29.06
Police Officer	6	\$28.00	\$34.00
Public Safety Assistant	4	\$20.00	\$26.00
Dispatcher/Clerk	4	\$20.00	\$26.00
TOTAL Part-Time Authorized Strength:	136132		
City-Wide			

Intern/Temporary Part-Time		N/A	\$14.00/hr
----------------------------	--	-----	------------

SECTION 4: The following seasonal part-time positions are hereby established with respect to position title, authorized number, minimum and maximum compensation (rate per hour except as otherwise indicated) The City Manager is hereby authorized to increase an employee's salary not to exceed 5.0% within the same position per calendar year not to exceed the maximum rate per hour.

:

Position	Authorization # of Employees	Minimum Pay Rate	Maximum Pay Rate
Safety Department – Fire Division			
Fire/EMS for Miami University Coverage	N/A	N/A	\$45.00
Parks & Recreation Department			
Park/Recreation Technician	3646	\$8.50	\$11.50/ hr
Program Coordinator	3	\$8.50	\$14.50/ hr
Service Department			
Street Department			
Laborer	7	\$8.50	\$ 13.00/ hr
Wastewater Division			
Plant			
Laborer	1	\$8.50	\$ 13.00/ hr
Collections			
Laborer	1	\$8.50	\$ 13.00/ hr
Water Division			
Plant			
Laborer	1	\$8.50	\$13.00/ hr
TOTAL Seasonal Part-Time Authorized Strength:	4959		

SECTION 5: Department Heads and Supervisory Employees.

- A. Defined.** The positions of City Manager, Finance Director, Law Director, Police Chief, Community Development Director, Service Director, Parks and Recreation Director, Fire Chief, Human Resource Director and Economic Development Director are department heads. These employees in addition to Assistant Finance Director, Deputy Service Director, Streets and Maintenance Manager, Wastewater Collection

Manager, Water Distribution Manager, Water Plant Manager and Wastewater Plant Manager for the purposes of group life and accidental death and dismemberment, are considered supervisory employees.

- B. Overtime.** Department heads are salaried employees and are not entitled to overtime.

- C. Vacation.** Department heads shall accrue vacation leave monthly at the following rates (except a first year department head who shall receive vacation accrual after the completion of the twelfth month):

After 12 months (1 year) - 120 hours
After 84 months (7 years) - 160 hours
After 156 months(13 years) - 200 hours

The City Manager is authorized to grant up to 80 hours of vacation leave during the first year of employment of a department head on the basis of extenuating circumstances.

The City Manager's vacation benefit shall be in accordance with the City Manager's contract.

- D. Other Benefits and Provisions.** Except as superseded by the provisions of this section, department heads and supervisory employees shall be entitled to all other benefits and provisions of this ordinance applicable to full-time employees of the City of Oxford.
- E. Sick Leave.** The Police Chief shall receive a bonus of \$310 per calendar quarter if he uses no sick leave during that quarter. If the Police Chief uses no sick leave for the calendar year, he shall receive an additional \$360. The bonus payment shall be issued at the end of each calendar quarter.

SECTION 6: General Provisions

- A. Pay Periods.** Employees shall be paid bi-weekly. Pay days shall be on Friday, except when City offices are closed for a holiday on Friday, in which case payday shall be the last workday preceding the holiday.
- B. Hours of Work.** Full-time, non-salaried employees' work week shall be forty hours. When directed by their supervisor to work overtime, such employees shall be compensated at the rate of one and one-half (1-1/2) times their base rate of pay for all hours actually worked in excess of forty hours per week. An employee who is called to work following the completion of their normal work day and one-half (1/2) or more hours prior to the commencement of their next normal work day shall receive a minimum of two (2) hours compensation for such call-in at one and one-half (1-1/2) times their normal rate.

- C. **Emergency Appointments.** In case of civil unrest or other like emergency, the City Manager may appoint emergency police officers or other volunteer citizens as may be necessary for temporary service during the emergency and shall report this action to the City Council at its next meeting. Such emergency appointees shall be compensated for all time actually worked on behalf of the City.
- D. **Firefighters** (excluding full-time Fire Captains and Firefighter/Paramedics. See Appendix B). Firefighters are paid according to the schedule in Section 3 hereof of part-time employees. A firefighter may receive a supplement equal to one-half their ordinary job wage if their employer does not continue pay while they are away from work attending to a fire.

No Paid-on-Call or Part-time firefighter may work in excess of fifteen hundred ~~sixty~~ (15~~60~~) hours in any given Calendar year to stay compliant with ACA requirements. Nor shall any paid-on-call or part-time firefighter work in excess of one hundred-six (106) hours in any pay period as part of FLSA over-time regulations.

Any hours worked in the employee's hired capacity or similar function to their hired capacity shall be calculated as total hours worked for that pay period and year. Performing other department sanctioned duties other than those for which the employee was hired shall not be included in total hours.

- E. **Shift Differential Pay.** The applicable rate of shift differential for the entire shift worked will be determined by the applicable rate for the majority of the hours in an assigned shift. If an assigned shift is evenly divided between two rates, the higher rate shall be applicable to all hours of the shift worked. A full-time employee who is assigned by their supervisor to work a shift after 4:00 p.m. and before 8:00 a.m. shall receive shift differential pay for all hours worked. The differential shall be twenty-five cents (\$0.25) per hour for all hours of a shift actually worked after 4:00 p.m. and before 12:00 midnight. The differential shall be forty-five cents (\$0.45) per hour for all hours of a shift actually worked after 12:00 midnight and before 8:00 a.m. Shift differential will be paid at its normal rate for scheduled hours worked on a holiday in addition to holiday pay. Overtime may be incurred for the work week (over 40 hours) attributable to working during a shift differential period (defined above). For purposes of calculating overtime pay, the base pay rate shall include the hourly shift differential amount. The shift differential rate used for overtime calculation will be the same rate used for shift differential as determined per the guidelines above.

SECTION 7: Employee Benefits

- A. **Uniforms.** The Police Chief shall receive credit in the same manner as the Detective Sergeant as specified in the Police Sergeants and Lieutenants contract.

The City shall provide full-time employees in the Service Department and the Parks & Recreation Department, who wear a uniform in the performance of their duties, with a uniform rental service.

- B. **Sick leave.** Sick leave shall be earned by all full-time employees at the rate of ten (10) hours per month and may be accumulated without maximum. Previously accumulated sick leave may be transferred as allowed by law. Under extraordinary circumstances, the City Manager may approve the transfer of sick leave credits from one City employee to another.

- C. **Sick Leave Incentive.** A full-time, non-contract employee shall receive an incentive of two hundred dollars (\$200.00) per calendar quarter if the employee uses no sick leave during that quarter. Use of any hours, including partial hours, of sick leave will result in the employee receiving no payment for that quarter. Any employee who uses no sick leave for a calendar year shall receive an additional two hundred dollar (\$200.00) incentive. The employee shall receive all such incentive payments at the end of each calendar quarter. Any payment shall reflect applicable federal, state, and local withholdings. Sick leave used for Worker's Compensation leave as defined in the Employee Handbook shall not be considered sick leave used for purposes of this paragraph.

As a part of the sick leave incentive, as of December 31, 2007, those employees having a sick leave balance will have those hours banked. Future accruals will not be added to the hours banked, however, all banked hours and any accruals will continue to show on the individuals pay stub to be used should the hours be needed for illness. The banked hours will be held until retirement, death or lay-off, at which time not more than 1200 banked hours may be converted to vacation time at the ratio of one-to-one for the first three hundred hours and three-to-one for the remaining nine hundred hours.

- D. **Sick leave conversion.** Prior to retirement, an employee with a banked sick leave balance of 280 hours up to a maximum of 1200 hours may convert the balance to vacation or pay at a rate of 5:1. However, there must be 240 hours remaining, and such conversion may only be made by written application to the Finance Department during the month of April, and pay, when requested, will be made on or before May 20th. Should an employee on lay-off (who has converted sick leave to vacation) return to City employment, they may within one year of reinstatement repurchase their accumulated sick leave by repaying at the same rate as the pay-off. Such repayment may be in cash, by payroll deduction or use of newly accumulated vacation time.
- E. **Payment of Health Insurance Premiums.** For each full-time employee and Law Director who participates in the City group medical insurance programs, the City will make a per month per employee contribution as determined by the budget during the effective period of this Ordinance for health/medical insurance, major medical, prescription insurance, dental insurance and vision care insurance. The Employee will pay a contribution for single coverage or for family coverage, each pay period, with deductions being made from gross pay before taxes resulting in the cost being reduced.
- F. **Holiday Schedule.** There shall be fourteen (14) paid holidays for full-time employees

as follows: (10 holidays/5 personal days)

New Year's Day (January 1)
Martin Luther King, Jr. Day (third Monday in January)
Washington/Lincoln Day (third Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4)
Labor Day (first Monday in September)
Thanksgiving Day (fourth Thursday in November)
Day after Thanksgiving
Christmas Eve Day (The day preceding or following
Christmas Day holiday as designated by the City Manager)
Christmas Day (December 25)
Five (5) Personal Days - 40 Hours

New employees hired during the year shall have their Personal Hours pro-rated based on initial hire date. With the exception of employees who work a continuous schedule, holidays falling on a Saturday shall be observed on the preceding Friday and holidays falling on a Sunday shall be observed on the following Monday.

- G. Pay for Work on Certain Holidays.** Any full-time employee, department heads excluded, who is required by the employee's supervisor to work on a designated holiday as a part of the employee's regularly scheduled duty and within the employee's normal hours of work shall receive pay in an amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked by the employee between the hours of 12:01 a.m. and 12:00 midnight, inclusive, on the designated holiday. When such an employee works on a holiday, the employee shall be entitled to an additional day off in lieu of the holiday.

Employees called to work on a designated holiday (to perform a special project or emergency repair) may receive pay in the amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked on the holiday in addition to the eight hours straight time pay for the holiday at the discretion of the City Manager. (Employees working less than eight (8) hours on a holiday have two options: 1) the employee can claim the eight (8) hour holiday and overtime for the actual number of hours worked; or 2) the employee can claim overtime for the number of hours worked, and use personal, vacation or comp time to make up the remaining hours and receive the holiday off at another time.)

When a calendar holiday falls on either weekend day(s) (including Christmas Eve and Christmas), the following rules apply:

- a) If an employee works the designated holiday, the employee is entitled to:
 - 1) One and one-half (1-1/2) times their base hourly rate for the hours worked, and
 - 2) a paid day to be taken at another time.
- b) If an employee works a true calendar holiday(s) that falls on Saturday or Sunday, the employee is entitled to pay at one and one-half (1-1/2) times the base hourly rate for the hours worked.

H. Group Life and Accidental Death and Dismemberment Insurance.

The City will pay 100% of the premium for these fringe benefits for coverage in an

amount equal to the employee's annual base salary, except that the amount of the insurance coverage provided will be subject to a reduction schedule included in the group policy. Such reductions generally begin at age 65 and are subject to ADEA regulations. These fringe benefits apply only to full-time employees working at least forty (40) hours per week and the Law Director. The City will pay 100% of the premium group life insurance coverage on the Police Chief in an amount equal to one and one-half(1-1/2)times the Police Chief's annual salary to a maximum of \$175,000.

For each firefighter, the City will pay 100% of the premium for a Firefighter's Accident Policy, not to exceed \$10,000 in insurance coverage.

- I. **Longevity Bonus Pay.** Longevity Bonus Pay will only be paid to eligible employees who accrue the required years of service on or before December 31, 20182019 and are full-time employees of the City on or before December 31, 20182019. To be eligible for Longevity Bonus Pay an employee must meet both requirements.

No partial or proportionate Longevity Bonus Pay will be paid. An employee shall accrue one year of service for twelve consecutive months of full-time employment. Part-time employees who become full-time employees may use hours worked as a part-time employee towards years of credit. Credit will not be given for partial years of service.

Full-time employees who leave the City's employment and are eligible to receive longevity pay based on the anniversary date in 20182019 shall be given the appropriate longevity payment with final pay. All other eligible employees will receive Longevity Bonus pay in November 20182019. All eligible full-time employees shall be paid in accordance with the following schedule. Contract employees shall be paid according to the appropriate contracts. The Chief of Police shall be paid longevity according to the current schedule in the Police Supervisors' contract.

After 5 years - \$450	After 18 years - \$775
After 6 years - \$475	After 19 years - \$800
After 7 years - \$500	After 20 years - \$825
After 8 years - \$525	After 21 years - \$850
After 9 years - \$550	After 22 years - \$875
After 10 years - \$575	After 23 years - \$900
After 11 years - \$600	After 24 years - \$925
After 12 years - \$625	After 25 years - \$950
After 13 years - \$650	After 26 years - \$975
After 14 years - \$675	After 27 years - \$1000
After 15 years - \$700	After 28 years - \$1025
After 16 years - \$725	After 29 years - \$1050
After 17 years - \$750	After 30 years - \$1075

- J. Vacation.** An employee shall accrue vacation monthly at the following rate unless otherwise covered by a collective bargaining unit. At the end of the first year (after 12 months) a non-contract employee will be credited with eighty (80) hours of vacation. At that time the employee will start accruing monthly vacation according to the following schedule:

After 12 months (1 year) - 80 hours
After 24 months (2 years) - 88 hours
After 48 months (4 years) - 96 hours
After 60 months (5 years) - 104 hours
After 72 months (6 years) - 112 hours
After 84 months (7 years) - 120 hours
After 96 months (8 years) - 128 hours
After 108 months (9 years) - 136 hours
After 120 months (10 years)- 144 hours
After 132 months (11 years)- 152 hours
After 144 months (12 years)- 160 hours
After 156 months (13 years)- 168 hours
After 168 months (14 years)- 176 hours
After 180 months (15 years)- 184 hours
After 192 months (16 years)- 192 hours
After 204 months (17 years)- 200 hours

The City Manager is authorized to grant up to 40 hours of the employee's vacation leave to be used in advance of their first year anniversary on the basis of extenuating circumstances.

- K. Reimbursement.** Employees authorized and required by the assigned supervisor to drive personal vehicles on official City business shall be reimbursed for actual miles driven at the IRS standard mileage rate in effect. Employees who are out of the City on official business or at authorized training functions shall be reimbursed for meals at the actual meal cost not to exceed IRS recognized per diem rate including those rates for high cost cities (receipts are required). The City Manager is authorized to adopt specific procedures regarding travel reimbursement.

- L. Continuing Education/Tuition Reimbursement.** For ~~2018~~2019, \$1,000 will be budgeted. Depending upon the availability of funds, an employee may be reimbursed for the cost of tuition and required course books for any job-related course, provided that the employee submits a written request for reimbursement on the appropriate form, with a copy of the course description, before taking the class. If only one employee submits a request for a class and receives at least a "B" average in the class, the employee will receive 50% of the amount budgeted. An employee who receives a final grade of "A" will receive 100% of the amount budgeted as reimbursement. Should there be more than one employee requesting tuition reimbursement, the funds will be distributed equally among those employees who have completed their classes and received their final grades as noted above. For example, if three (3) employees submit requests and all three receive a final grade of "A" for their classes, the amount budgeted will be divided among the three and the funds will be distributed equally at the end of the year. Requests for reimbursement should be submitted to the Human Resources Director.

SECTION 8: Applicability

Irrespective of any language or wording herein above, this ordinance shall not be, and no provision or portion hereof shall be, applicable to any employee of the City of Oxford employed pursuant to a written contract relative to wages and working conditions. This entire ordinance is effective and applicable only as to employees whose employment is not covered pursuant to the terms and conditions of a written contract with the City.

SECTION 9: Repeal of Conflicting Ordinances

All other ordinances and resolutions or parts of ordinances and resolutions in conflict with the provisions of this ordinance be and the same are hereby repealed.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: Kate Rousmaniere

ATTACHMENT A

CITY OF OXFORD OHIO

PAY BANDS (~~2018~~2019)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
PAY BAND 7		
Annual	\$66,830 <u>\$68,835</u>	\$120,141 <u>\$123,745</u>
Hourly	\$32.13 <u>\$33.09</u>	\$57.76 <u>\$59.49</u>
PAY BAND 6		
Annual	\$52,000 <u>\$53,560</u>	\$92,290 <u>\$95,059</u>
Hourly	\$25.00 <u>\$25.75</u>	\$44.37 <u>\$45.70</u>
PAY BAND 5		
Annual	\$44,512 <u>\$45,847</u>	\$75,026 <u>\$77,277</u>
Hourly	\$21.40 <u>\$22.04</u>	\$36.07 <u>\$37.15</u>
PAY BAND 4		
Annual	\$39,125 <u>\$40,299</u>	\$63,440 <u>\$65,343</u>
Hourly	\$18.81 <u>\$19.37</u>	\$30.50 <u>\$31.41</u>
PAY BAND 3		
Annual	\$35,464 <u>\$36,528</u>	\$59,800 <u>\$61,594</u>
Hourly	\$17.05 <u>\$17.56</u>	\$28.75 <u>\$29.61</u>
PAY BAND 2		
Annual	\$33,176 <u>\$34,171</u>	\$53,830 <u>\$55,445</u>
Hourly	\$15.95 <u>\$16.43</u>	\$25.88 <u>\$26.66</u>
PAY BAND 1		
Annual	\$29,994 <u>\$30,894</u>	\$48,651 <u>\$50,111</u>
Hourly	\$14.42 <u>\$14.85</u>	\$23.39 <u>\$24.09</u>

ATTACHMENT B

CITY OF OXFORD OHIO

Full-Time Fire Captains' and Firefighter's Policies and Wage Rates

Holidays

Full time Fire Captains and Firefighters working a 24/48 schedule will be paid a holiday check on December 1 of each year. This check will consist of eight (8) hours pay for each of the 10 holidays. If a fire captain or Firefighter is called in to work on an unscheduled Holiday, hours worked will be paid at a double-time rate.

Personal Days

Full time Fire Captains and Firefighters working a 24/48 schedule will be entitled to take two (2) 24 hour personal days per calendar year. These hours must be taken each year and may not be accrued.

Sick Leave

Full time Fire Captains and Firefighters working a 24/48 schedule shall accrue sick leave hours at a rate of 13 hours per calendar month. Sick leave may be accumulated without maximum.

Sick Leave Incentive

Full time Fire Captains and Firefighters working a 24/48 schedule will be eligible to receive a sick leave incentive which is the same as other city employees.

Vacation

Full time Fire Captains and Firefighters working a 24/48 schedule will be eligible for vacation after one year of employment and as follows: on the first anniversary date 72 hours; on the second through ninth anniversary date 120 hours; on the 10th anniversary date and thereafter 168 hours. Full-time Fire Captains and Firefighters can carryover up to one year's vacation accrual plus 72 hours.

Funeral Leave

Full time Fire Captains and Firefighters working a 24/48 schedule will be eligible to take up to two (2) 24 hour days per calendar year for the purpose of attending the funeral of a member of the employee's immediate family. The definition of immediate family is outlined in the Employee Handbook.

Kelly Days

Full time Fire Captains and Firefighters working a 24/48 schedule will be entitled to a Kelly day (day off on the 10th scheduled day) when the employee is scheduled to work 10 24 hour days in a 28 day cycle. This will amount to three or four Kelly days per year depending on each employee's schedule.

Life Insurance

Full time Fire Captains and Firefighters working a 24/48 schedule will be eligible for premium group life insurance (term) coverage in an amount equal to 1.5 times the employee's annual base salary paid for by the City.

Compensatory Time

Full time Fire Captains and Firefighters working a 24/48 schedule are not eligible to receive compensatory time (hours) for overtime hours worked.

All other employee benefits are outlined in the salary ordinance and employee handbook.

Fire Captain Base Salary Schedule

~~The following salary schedule shall take effect 1/1/2018 for all full-time Fire Captains. Fire Captains who are employed on January 1 of 2018 will receive the amount listed below plus any additional overall adjustment granted by Council.~~

2018 2019	\$73,486 \$75,691
----------------------	------------------------------

~~2018-2019~~ Holiday pay check will equal (80 hours total) at ~~\$35.33~~\$36.69 per hour or ~~\$2,826.00~~\$2,911.20 total.

Firefighter/Paramedic Base Salary Schedule

~~Any newly hired firefighter in 2018 will be paid the following rate:~~

2019 2018	\$65,703 \$67,674
----------------------	------------------------------

~~2018-2019~~ Holiday pay check will equal (80 hours total) at ~~\$31.59~~\$32.54 per hour or ~~\$2,527.20~~\$2,603.20 total.

Any newly hired Fire Captain or ~~current and~~ newly hired Firefighter/Paramedic in ~~2018~~2019 will be paid according to the salary schedule below:

Starting salary	85% of applicable base rate
With 12 mos of service	90% of applicable base rate
With 24 mos of service	95% of applicable base rate
With 36 mos of service	100% of applicable base rate

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

September 23, 2018
Date Prepared:

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

Recommendation: Approval

Discussion:

This application is a follow-up to an earlier re-zoning request for the same parcel that was not approved. Following that denial Mr. Webb applied for the new Neighborhood Business district designation for this approximately one acre vacant parcel of land. See the original Planning staff report attachment for purpose statement excerpts for both zoning districts.

The option for a NB district was created in 2016 for small businesses close to residential areas. The consensus of the Commission was that this should be tried as a way to encourage some controlled development on this vacant lot. The Commission reviewed the case with the four decision criteria and voted 7-0 to recommend approval to City Council. The Commission discussion identified decision standard B in its recommendation:

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

Map Amendments

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

Approved By:

Department Head:
City Attorney:
City Manager:

SB / 9-23-18
DRE / 9-28-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY ONE ACRE OF LAND LOCATED AT 5111 MORNING SUN ROAD OXFORD, OHIO, AND REZONING THE PROPERTY FROM OFFICE AND LIGHT INDUSTRIAL (OI) DISTRICT TO NEIGHBORHOOD BUSINESS (NB) DISTRICT.

WHEREAS, in accordance with Section 1135 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on September 11, 2018, on the application of Scott Webb, Architect, for a Zoning Map Amendment for approximately one acre of land located at 5111 Morning Sun Road Oxford, Ohio, rezoning the property from Office and Light Industrial (OI) District to Neighborhood Business (NB) District; and

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

WHEREAS, the Planning Commission found the request does comply with the intent of the Oxford Codified Ordinances and with the intent of Oxford Comprehensive Plan.

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

SECTION 1: Council hereby accepts the recommendation of the Oxford Planning Commission, and after due deliberation, finds for the granting of the Zoning Map Amendment rezoning approximately one acre of land located at 5111 Morning Sun Road Oxford, Ohio, from Office and Light Industrial (OI) District to Neighborhood Business (NB) District.

SECTION 2: Council hereby grants the rezoning request to Neighborhood Business (NB) District for the property as requested by the Applicant, incorporating the application and documents submitted by the Applicant as a term and condition of the granting of this Rezoning Request.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-23

Date – September 11, 2018

APPLICATION

Applicant:	Architect Scott Webb
Action Request:	Zoning Map Amendment from OI (Office and Light Industrial) to NB (Neighborhood Business)
Location:	5111 Morning Sun Road
Acreage:	Approximately 1 Acre
Owner:	H&P Properties (Shane Coffman)
Current Use:	Vacant/Agricultural/Wooded
Surrounding Land Uses:	Professional Office
Comp Plan Designation:	Developed Area/Neighborhood General 3

DESCRIPTION

This is a map amendment request for a 1 acre parcel at the intersection of Morning Sun Road and Sycamore Street. The parcel is vacant and partially wooded.

The request is to amend the zoning map for this parcel from OI (Office and Light Industrial) to NB (Neighborhood Business). A recent application for re-zone to R2MS was denied. NB is a new designation created in 2016 intended to allow for small-scale retail and services in or near residential areas. It was anticipated that single lots or “spots” could be zoned NB when this designation was studied and created by Planning and Council in 2016. This current OI district is 10 acres total. There is R2MS zoned land to the west and R1MS land to the south, across Sycamore Street. Across the street to the east is OI land, where a hotel is located. The west side of Morning Sun Road is comprised of professional offices.

Mr. Webb has provided a letter regarding the map amendment decision standards.

Below is the staff analysis:

SITE BACKGROUND

The farmhouse formerly on this lot was removed around 2005-07, leaving the lot currently vacant of development. The property has changed hands twice in the past 10 years but no development has resulted. City staff has reviewed at least two different development proposals, one including only this lot, one including other lots. Neither resulted in development. The lot is sloping with the general (pre-developed) topography of the area. The lot appears deceptively small from the roadway because the rear half is steeply sloping and wooded. The current setback requirements of the OI district present an obstacle to developing this land without some type of special approval. While a re-zoning could result in development, it is important for Planning and Council to focus on the long term effects of a change in development rights of a property.

COMPREHENSIVE PLAN

The comprehensive plan does not provide specific guidance on this individual parcel. The land is labeled as already developed on the Conservation and Development Map 3.6. This appears to be because it was included in with the surrounding area unless the former house was considered a “developed” condition at the time. The Character Area Map 3.7 labels the land as part of Neighborhood General 3, which is the 2,300 acre residential area outside of the Mile Square.

Although the Comp Plan does not provide specific guidance, it does provide general guidance through the Land Use Principles found on pages 3.8 to 3.12. Some pertinent excerpts of those principles are included below. Italics are staff comments.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.
Utilizing land already within urbanized areas rather than sprawl is a common theme throughout the Comp Plan. This particular parcel is a vacant parcel and likely has all utilities available to the property; therefore it is a good candidate for development that does not require substantial expenditure.

Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with the other principles.

- New growth on the edge of the community will not compromise the rural landscape or the community's small town character.

Determining that there is a transition is not an issue, but determining where the transition should happen is difficult. Sycamore Street is a natural boundary where the existing urban form changes from larger lot development to smaller residential lots. This is a result of the Mile Square boundary. Rezoning a parcel on the north side of Sycamore Street could result in an alteration to this natural boundary in the near future. The NB district could be an appropriate transition because of the boundary area and also the proximity to residential neighborhoods.

Streets will create an attractive public realm.

- Roads in rural areas will complement the character of rural areas (i.e., width, setbacks, landscaping buffers).

The street is the gateway into the community. The streetscape north of Sycamore street is currently more rural in nature than south of Sycamore Street. There are no curbs, the buildings are set back farther and there are fewer curb cuts. The NB district restricts size and scale of buildings which could serve to maintaining this goal.

Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.

- Bike paths and walking paths will be integrated into new development and areas undergoing redevelopment

A sidewalk was recently installed along this property in order to provide access to the Oxford Area Trail. Any Rezoning or redevelopment of this land should be done sensitively to avoid creating conflicts or safety issues that do not already exist. The NB district is intended to foster non-motorized commerce because of its scale and strategic location; therefore, it could be a good fit for this site.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments
Econ. Dev.	No comments returned

Fire: Returned with no comments

DECISION CRITERIA

A copy of the Zoning Text Amendment Decision Criteria is attached.

Oxford Zoning Code Chapter 1135 outlines the map amendment process and decision standards that the Planning Commission needs to follow, and the decision standards are as follows and attached:

- A. There is an error on the Official Zoning Map or in the delineation between the districts.

As stated by the applicant, the OI zoning was formally established by Oxford City Council in 2003. This was not an error. An error would be something that was made due to a technical problem in the recording of the line on the map. This same boundary line was clearly known and advertised the same before the hearing as it was after the publication.

- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

Excerpts from the Comprehensive Plan above can be used in support of this proposed amendment.

- C. There has been a substantial change in area conditions that necessitated the amendment.

*The staff interpretation of this decision criteria is that the substantial change is referring to the time period **since the adoption of the 2008 Comp Plan**. The physical conditions of the area have not changed; the same buildings and roads that surround this lot are the same ones that existed in 2008. However, the enrollment at Miami University has increased, new student residential development has occurred in the community and Miami itself has been in the process of implementing their Housing Master Plan. Additionally, the city rezoned approximately 100 Acres of land in the eastern portion of the Mile Square to increase residential density.*

- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

Although there are several neighborhood commercial uses (Johnny's Deli, Paesano's Restaurant, etc), no districts have been established as of yet. This district allows both residential and commercial. As stated by Mr. Webb, a re-zoning would not preclude professional offices. Residential is typically a primary driver of development in Oxford, therefore a small mixed-use development could create much needed small spec commercial space in Oxford for new business starts in appropriate locations.

The Planning Commission needs to evaluate the application based on the decision standards outlined in Chapter 1135 to determine whether the request meets at least one criteria and if the benefits will likely outweigh any potential pitfalls.

RECOMMENDATION

If the Planning Commission deliberates through the decision criteria, this staff report and any new facts presented will provide an ample record in order for a well-founded recommendation to be forwarded to the City Council. The decision of whether to approve or deny the map amendment request from OI to NB for this 1 acre parcel at 5111 Morning Sun Road should be solely focused on the findings of the four decision standards. Staff recommends that the Commission forward a recommendation of approval to Council.

SUBMITTED

BY:

A handwritten signature in cursive script, appearing to read "Sam Perry", followed by a long horizontal flourish line.

Sam Perry, AICP
Director

DATE: September 7, 2018

ATTACHMENT

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

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

Map Amendments

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

FROM:

1143.13 OF OFFICE AND LIGHT INDUSTRIAL DISTRICT.

(a) Purpose. This district is intended to provide for research and development and professional office facilities that have minimal impact upon the surrounding environment

TO:

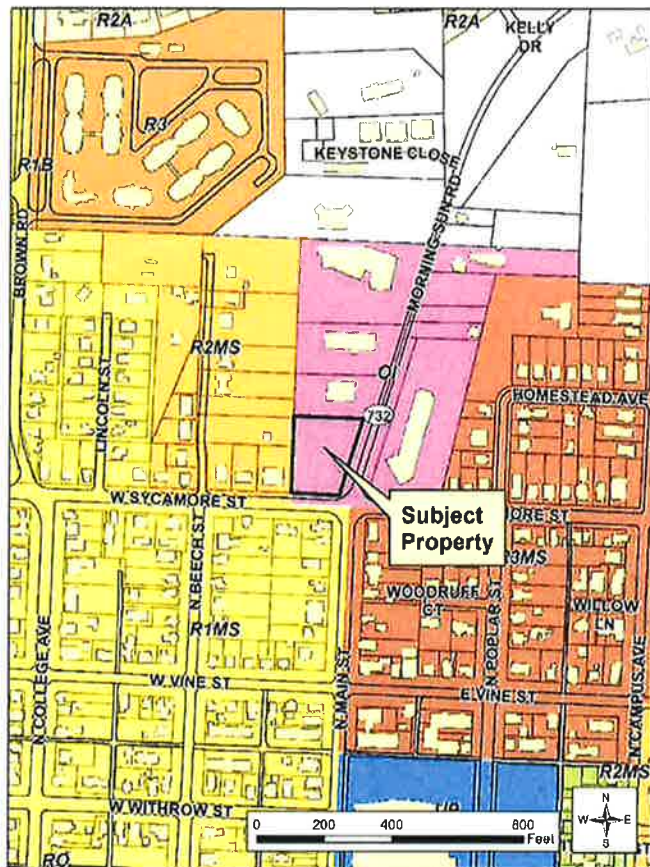
1143.16 NB NEIGHBORHOOD BUSINESS DISTRICT.

(a) Purpose. This district is intended to provide small-scale retail and services on sites in or near residential areas, while having little impact on them. Uses are limited in scope to promote local orientation. Development is intended to be compatible with the scale of surrounding residential areas development through pedestrian-orientation (or limited auto-orientation when the site is adjacent to collector streets)

(b) Uses.

(1) Permitted Uses.

- A. Two dwelling units of any combination of dwelling types as defined in Section 1159.05(8), A, C and D, on the upper floor.
- B. Professional services limited to 2,500 square feet of gross floor area.
- C. Retail services limited to 2,500 square feet of gross floor area.



- D. Personal services limited to 2,500 square feet of gross floor area.
- E. Child daycare center limited to 2,500 square feet of gross floor area.
- F. Cultural facilities, including museums, art gallery, library limited to 2,500 square feet of gross floor area.
- (2) Conditional Uses: The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Residential dwelling types as defined in Section 1159.05(8), A, or C or D, on the first floor or basement.
 - B. Restaurant
 - C. Professional, retail, personal services, daycare center, cultural facilities that have more than 2,500 square feet of gross floor area.
 - D. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - E. Shared Housing and Congregate Housing for the Elderly.
 - F. Government owned and/or operated parks and recreation facilities.
 - G. Bed and Breakfast homes.
 - H. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - I. Schools; primary, intermediate, and secondary, both public and private.
 - J. Places of Worship.
 - K. Hotel,
 - L. Animal hospital
 - M. Extended business hours beyond the hours of operation as permitted.

(c) Site Development Regulations. (unless superseded by Conditional Use Requirements)

- (1) Lot requirements. No minimum lot size or lot width is specified, however, lot size and width shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
- (2) Yard Requirements.
 - A. Minimum front yard depth 20 feet in the Mile Square or the average front yard setback of the block face, whichever is higher. 30 feet outside of the Mile Square.
 - B. Minimum rear yard depth See table below.
 - C. Minimum side yard width See table below.
- (3) Structural requirements.
 - A. Maximum building height 35 feet.

	Minimum building setback from residential zoned properties	
Height of the Building	Lots abutting a side lot line of a residential zoned lot	Lots abutting a rear lot line of a residential zoned lot
20 feet or less in height	7.5 feet	35 feet
More than 20 feet, but less than 35 feet in height	10 feet	40 feet

- (4) Maximum Lot coverage 50 percent

(d) Supplementary Regulations:

- (1) The required front yard shall be landscaped with trees, shrubs and ground cover. A minimum of 1 tree for every 25 feet of linear feet of frontage, with the exception of the area used for vehicle access. The tree spacing shall be consistent with the requirements outlined in Oxford Codified Ordinance Section 935.06. Trees shall be hardwood type, as listed on the City's Tree List maintained by the Environmental Commission. Each tree shall be a minimum 2" caliper in diameter at breast height (DBH). All landscaping

material shall be maintained in good condition, Any missing or dead material shall be replaced in a timely manner.

- (2) The placement of any proposed building shall be consistent with the average setback of the blockface.
- (3) Development should preserve the historic character of Oxford while embracing high quality design that complements existing building.
- (4) New building shall be designed in style, mass, scale and materials compatible with the surrounding properties.
- (5) Addition to an existing building shall be sympathetic to the architectural scale and style of the existing building. The material for the addition shall also be similar and consistent with the existing building.
- (6) The maximum pedestrian walking distance from the street to the entrance of the building shall not be more than 150% of the required front yard setback, or the average front yard setback distance, whichever is larger.
- (7) Buffering shall be provided along the property lines adjacent to residential zoned properties. Such buffering shall consist of a solid green or dense green hedge a minimum of 6 feet tall. Green hedges shall be 6 feet tall at planting and maintain at least 90 percent opacity over time.
- (8) Hours of operation shall be limited to 8 am to 9 pm, or subject to the approval from the Planning Commission.
- (9) All parking shall be located to the side or to the rear of the building. No more than 50% of the frontage upon the street could be used for parking area.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

Drawings reviewed by:



Date:

8-14-18

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department, Engineering Division, Police Department, Econ Dev Department

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 8-13-18

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-23, ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



John A Jones
PRINTED NAME

Date: _____

8/8/18



PC-2018-23 Surrounding Property Owners Notifications Map

Legend

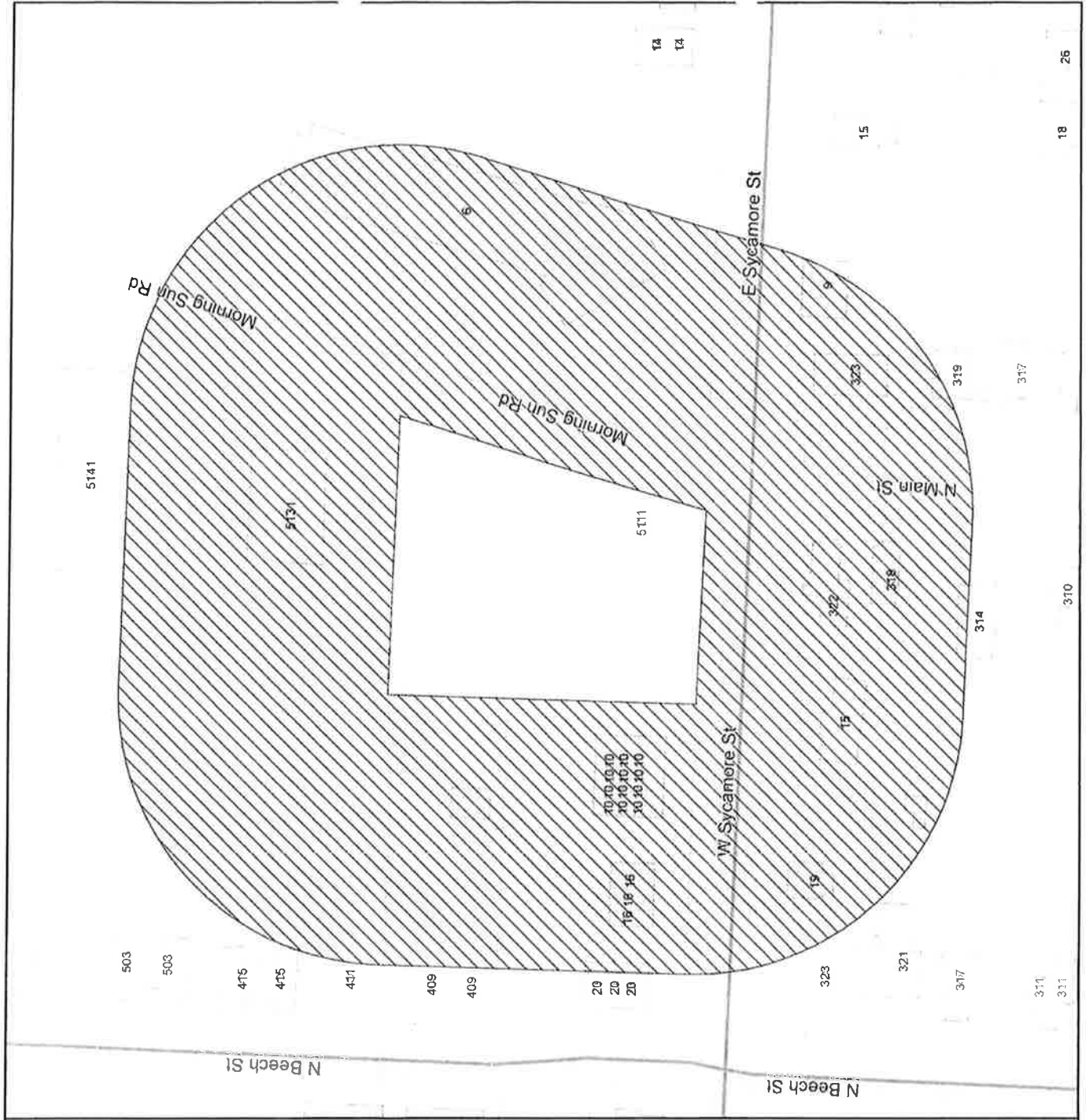
- Subject Parcel
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Monday, August 27, 2018

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.





**CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM**

CASE NO.: PC-2018-23

DATE OF HEARING: September 11, 2018

ZONING MAP AMENDMENT, 5111 Morning Sun Road, from an OI (Office Industrial) District to a NB (Neighborhood Business) District, **Scott Webb, Applicant, Agent**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 15 S. College Avenue, Oxford, OH 45056.

Name:

(Print)

Address:

Tony MILLER
4721 Riggs Rd. Oxford

Telephone:

Home:

Work: 513-5327566

COMMENT:

Stay OI

Tony Miller
Signature

8-28-18
Date

To whom it may concern;

It seems to me that Mr. Scott Webb could be more creative in his line of work.

He only designs mega apartment buildings, why not focus on a professional business complex.

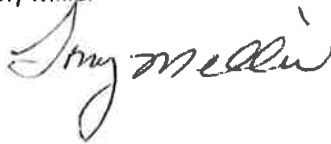
I'd like to see professional jobs offered here instead of people commuting out of town.

What businesses have interest in being involved in "neighborhood business"?

Is this a scheme to build more student housing or legitimate opportunities for real professionals to establish in Oxford?

Mr. Webb could even help the City of Oxford create a project on the very expensive piece of property they inherited in a law suit many years ago.

Tony Miller

A handwritten signature in cursive script that reads "Tony Miller". The signature is written in black ink and is positioned below the printed name "Tony Miller".

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission & City Council regarding a proposed Zoning Map Amendment at 5111 Morning Sun Road.

Thank you,

Signed: 
Share Coffman, H & P Properties LLC


Date:



Internal Use Only:	PC-2018- 23
Case No.	
Date Filed	7/27/18

Zoning Map Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *	Scott Webb, Architect
Mailing Address *	103 West Walnut Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	523-3838
Email Address	scott@scottwebbarchitect.com

Location and Lot Information

Location *	5111 Morning Sun Road
General Description of Proposed Amendment *	Map Amendment for the corner of Sycamore and Morning Sun Road
Current Zoning *	OI (Office Industrial)
Proposed Zone(s) *	NB (neighborhood Business)

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

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

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

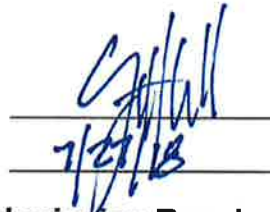
Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *



Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charge made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

Sam Perry, Planner
City of Oxford
Municipal Building
15 South College Ave.
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
5111 Morning Sun Road
Oxford, Ohio 45056

May 23, 2018

Dear Mr. Perry,

Thank you for taking the time to meet with Mr. Coffman and I regarding the opportunities a Neighborhood Business District Zoning designation may have for us at the Morning Sun Road property.

After Planning Commission's recommendation for denial of our Map Amendment to R2MS, City Council seemed to have similar reservations, but seemed more inclined toward a mixed-use Zone.

To that end, please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the property at 5111 Morning Sun Road, at the corner of Sycamore and Morning Sun Road. The proposed Zoning Map Amendment will change the affected property from OI (Office Industrial) to NB (Neighborhood Business District).

Statement responding to Decision Standards on the Application.

In response to the decision standards outlined in the application, we offer the following:

A. There is an error on the official Zoning Map or in the delineations between districts.

While this is not an error on the map per Staff's interpretation of this standard, prior to the 2003 Map Amendment, the property was Zoned R4A, Suburban Multiple Dwelling. In 2003, despite being surrounded by residential development, the zoning was changed to OI, Office Industrial, with Planning Commission predicting a future Medical Office use, and eliminating most other opportunities for the property owner.

B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.

The Comprehensive Plan refers to this area generally as part of the "Neighborhood 3" area on the **Character Map**, described as being on the outskirts of the Mile Square with the lowest residential density, though containing single to multi-family density per the Character Area Matrix. Current Zoning does not allow residential, so change in the map to allow residential would clearly make this conform more closely with the Comprehensive Plan

There are competing objectives and strategies in the **Land Use chapter**,

Objective 4 suggests the need for research, development, and office space, yet further suggesting this should be along the north 27 corridor.

Objective 2 suggests enhancing the neighborhoods in the Mile Square. Neighborhood Business District Zoning "...is intended to provide small-scale retail and services on sites in or near residential areas, while having little impact on them. Uses are limited in scope to promote local orientation."

A Neighborhood Business District designation could allow the combination of uses to share the site, providing businesses, offices with upper level residential.

C. There has been substantial change in the area conditions that necessitates the amendment.

The current zoning was likely decided with the development of a variety of medical offices further north along Morning Sun Road. After 15 years and numerous owners, the site has never produced a viable project fitting within the narrow confines of the OI Zoning District. Grading, access from the intersection and parking requirements for commercial uses on small sites has affected the feasibility of such a project.

A zoning change to Neighborhood Business in this area recognizes the difficulty of developing the property and will provide opportunities for more viable and compatible uses for the neighborhood than an Office Industrial, commercial use.

Planning Commission spent over a year looking for additional density in the Mile Square, particularly in the North quadrant of the Mile Square, adjacent to the University and their parking areas. As residential will likely increase, small localized commercial space to serve this population and reducing car trips.

The change does not preclude the continuation of medical or professional offices, as each would be allowed in the new zoning district.

D. There is legitimate need for additional land area in the zoning district that will be expanded

In the context of our previous application to R2MS, Council and Staff expressed interest in using this newly created Zoning District, potentially being the first of its kind in the City.

With no interest in a commercial use for the property and Planning Commission's expressed need for additional residential development adjacent to campus, the Map Amendment would allow the development of a vacant parcel, and take pressure off of other neighborhoods in the City.

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,



Scott Webb, Architect

Zoning Area Map Showing Adjacent Zoning



Enlarged Zoning Area Map Showing Adjacent Zoning

**Aerial Photograph
Showing Adjacent Development**



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: October 2, 2018

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

September 23, 2018

Date Prepared:

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

Recommendation: Approval with conditions

Discussion:

This is a proposal for a new bank with drive-through service to be built on a now vacant lot. The drive-through aspect of the project requires the conditional use because of potential impacts on surrounding properties. The specific decision standards of the bank drive-through code are mostly focused on negative impacts to adjacent residential areas, which is not the case in this situation. Therefore a review determined that any negative impact of the drive-through could be mitigated with the design proposed. The requested zoning code waivers were determined to be appropriate. Additional conditions of mature tree protection and dumpster screening were added through Commission discussion. Although not a condition it was requested that a good faith effort to make a pedestrian connection (ex: McDonalds / Library) between adjacent properties continue to move forward. At the time of the meeting, efforts to connect the new bank directly to the LaRosa's site had not worked out. There are some topographic challenges and owner coordination required. The Commission voted 7-0 to recommend approval of the new bank with drive-through to City Council with 6 waivers/conditions:

1. Reduction of front façade glazing from 60% to 45%
2. Reduction of parking setback on south side from 6 feet to 3.5 feet
3. Reduction of parking setback on north side from 6 feet to 1 foot
4. Reduction of private sidewalk width from 5 feet to 4.5 feet as shown on plans
5. Protection of 5 mature trees during and after construction
6. Visual screening of dumpster enclosure with landscape plantings

Although not required by code, the bank is constructing a public sidewalk along the frontage of the property. This will provide continuity from the north but does not continue to the south at this time.

Approved By:

Department Head:

City Attorney:

City Manager:

 / 9-23-18
 / 9-28-18

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVING A CONDITIONAL USE PERMIT FOR A BANKING FACILITY WITH A DRIVE-THROUGH WINDOW IN THE GENERAL BUSINESS (GB) DISTRICT TO BE LOCATED AT 31 LYNN AVENUE OXFORD, OHIO 45056 WITH CONDITIONS.

WHEREAS, Council finds in accordance with Oxford Codified Ordinance Section 1147.02 the City of Oxford Planning Commission held a public hearing on September 11, 2018 for the purpose of considering the request of Maria Schertler, Applicant, for a conditional use permit for a banking facility with a drive-through window; and

WHEREAS, the Planning Commission, after public hearing and discussion, voted and approved a motion recommending approval of the conditional use permit application for a banking facility with a drive-through window to be located at 31 Lynn Avenue Oxford, Ohio 45056 with the six conditions.

THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application for a banking facility with a drive-through window in the General Business District to be located at 31 Lynn Avenue Oxford, Ohio 45056 with six conditions listed below as recommended by the Planning Commission being incorporated as a requirement of this approval.

1. The front façade glazing shall be reduced from 50% to 45%.
2. The parking setback on the south side shall be reduced from 6 feet to 3.5 feet.
3. The parking setback on the north side shall be reduced from 6 feet to 1 foot.
4. The private sidewalk width shall be reduced from 5 feet to 4.5 feet.
5. Five mature trees shall be protected during and after construction.
6. The dumpster enclosure shall be visually screened with landscaping.

SECTION 2: 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
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2018-24

Date –September 11, 2018

APPLICATION

Applicant:	Maria Schertler (The Architectural Group)
Location:	31 Lynn Ave
Owner:	Richard Parker (Miami University Community Credit Union)
Action Request:	Conditional Use Permit Application for a drive-through as part of a new bank
Current Use:	Vacant
Zoning:	GB (General Business) District
Surrounding Existing Land	
Uses:	Restaurants, Offices, Retail

GENERAL DESCRIPTION

As noted in the attached narrative letter, Miami University Community Credit Union acquired a 0.5 Acre lot on Lynn Avenue. On behalf of MUCCU, Architect Maria Schertler is requesting a conditional use permit to construct a bank building with drive through service. The lot is in the General Business district parallel to the Locust Street corridor. There are existing retail uses and professional offices in the surrounding area. The Planning Commission needs to review this case and forward a recommendation to City Council. The drive through aspect of the business requires the conditional use review process. The process is intended to determine if the use is an appropriate fit in the location and if there are any adverse effects it would have, that could be mitigated by additional conditions.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners and a sign was posted at the front of the property. No public comments have been received as of this report.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

Police:	Returned without comments
Fire:	Returned without comments
Engineering:	Returned with comments regarding storm water management requirements.
Econ. Dev.:	No comments returned

ZONING CODE REVIEW

Chapter 1147 governs the Conditional Use application and outlines the potential concerns and use regulations for each permissible Conditional Use.

1147.02(c) Planning Commission Review: The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) **Burden of Proof.**

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health,

safety, or general welfare of the City or the neighborhood in which it is proposed.

- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.

- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

(d) Action by Planning Commission.

- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. **In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.**

1147.03(b)(8)

Drive-Through Banking and Pharmacy Facilities.

- A. Potential Concerns.
 - 1. Design of vehicle management area.
The design meets the minimum zoning requirements with the exception of the property line setbacks being less than 6 feet.
 - 2. Noise from operations (vehicle and loudspeaker).

Any noise that may be generated to an off-site location would be directed toward a commercial parking lot.

3. Screening from adjacent uses.

The adjacent uses are all commercial in nature.

B. Regulations.

1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.

N/A

2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.

N/A

ANALYSIS:

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

- (2) General Decision Standards. All Conditional Uses shall satisfy the General Decision Standards.

- A. **The proposed use is in fact a Conditional Use appropriate in the zoning district in which it is proposed.**

Yes, the use can be allowed as a conditional use. It is specifically listed.

- B. **The use and site will satisfy the general intent of the Zoning Code.**

Yes, the proposed use can be satisfied by allowing a new drive through as long as the changes are not negative to the surroundings.

- C. **The use and site will be compatible with the general intent of the Comprehensive Plan.**

One of the objectives of the Comp Plan is to utilize existing land within corporate limits. While the lot is very compact for the proposed use that is automobile-oriented, the Commission may consider this an appropriate use of land.

- D. **The size and shape of the site are sufficient for the proposed use.**

As stated above the site is small for the use; hence the parking lot setback reduction request. Storm water management may have to be underground.

- E. **The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.**

None anticipated.

- F. **The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.**

Not applicable.

- G. **The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.**

No unrelated accessory uses being proposed.

- H. **The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.**

Opportunity for comment was provided to Fire, Police and Service Departments.

- I. **Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.**

Opportunity for comment was provided to Fire, Police and Service Departments.

- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.**

The building is similar design to the existing MUCCU building on College Corner Pike. The Lynn Ave corridor has a variety of different building materials with this building being a similar size and scale in proportion to the lot size.

- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.**

Planning staff has expressed some concern to The Architectural Group about the curb cut location in relation to the curb cut on the adjacent property. The designers have attempted to reverse the location but were not able to per the attached narrative letter.

- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**

The site was cleared of a former home and is currently vacant with several mature trees. There are five mature trees identified on the landscape plan that should be protected during the construction phase as a condition of the approval. Two are on the lot and three are adjacent to the north.

- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.**

Staff is not aware of any obstacles for the applicant or owner to obtain additional licensing or permits. A building permit will be required before the construction commences.

ZONING CODE COMPLIANCE

The applicant supplied a comprehensive letter outlining the conflicts with zoning code:

- Reduction of front façade glazing from 60% to 45%
- Reduction of parking setback on south side from 6 feet to 3.5 feet
- Reduction of parking setback on north side from 6 feet to 1 foot
- Reduction of sidewalk width from 5 feet to 4.5 feet

CONCLUSION/RECOMMENDATION: Based on the above findings, staff recommends approval of the conditional use with the requested waivers above and a condition that the five mature trees shown on sheet C1.3 be protected during construction. The designers took two suggestions from staff: 1) attempting to connect pedestrians with adjacent LaRosa's and 2) to re-locate the curb cut, neither of which were determined to be feasible at this time. Therefore, the case can be recommended for approval with the proposed layout.

SUBMITTED BY:



Sam Perry, AICP
Director

DATE: September 7, 2018

ATTACHMENT

(c) **Planning Commission Review.** The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) **Burden of proof.**

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) **General decision standards.** All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

See memo dated 8/30/18

Drawings reviewed by:

Scott Otto

Date:

8/30/18

Scott Otto

PRINTED NAME



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
Engineer

RE: PC-2018-24
Conditional Use
31 Lynn Avenue – Miami Univ. & Community Federal Credit Union

DATE: August 30, 2018

The following is our comment:

- The proposed development shall include storm water management, including storm water detention design, per the City of Oxford Stormwater Management Design Manual.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2018-24, CONDITIONAL USE, Miami University & Community Federal Credit Union, 31 Lynn Avenue, to allow for the construction of a banking facility with drive through service, in a GB (General Business) District, Maria Schertler, The Architectural Group, Applicant, Agent

 X Review Revisions Other

Please return no later than: **September 5, 2018** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 8/20/18
John A. Jones, Police Chief
PRINTED NAME



PC-2018-24 **Surrounding** **Property Owners** **Notifications Map**

Legend

-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Monday, August 27, 2018

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.





improving lives
everyday

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that The Architectural Group, Inc., Norm Butt Principal, and Maria Schertler has permission to represent our interest with the City of Oxford and act on our behalf for the Planning Commission hearing meeting on September 11, 2018, regarding the Miami Community Credit Union, Branch at our property located at 31 Lynn Ave., Oxford, Ohio 45056.

Thank-you,

Signed:

Richard A. Parker
President/CEO

July 24, 2018

Miami University and Community Federal Credit Union

5120 College Corner Pike • Oxford, Ohio 45056 • phone 513-523-8888 • fax 513-523-1718 • cumemservice@muccu.org • www.muccu.org



Internal Use Only:	PC-2018-24
Case No.	
Date Filed	7/30/18

Conditional Use Permit Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * Maria Schertler

Mailing Address * 135 N. Main St.

City, State & Zip Code * Dayton, OH 45402

Telephone Number(s) * (937) 223-2500

Email Address schertlerm@taguit.com

Owner Information

Name * Miami University Community Federal Credit Union

Mailing Address * 5120 College Corner Pike

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513) 529-2739

Email Address rick@muccumail.org

Location and Lot Information

Location of Property * 31 Lynn Street, Oxford, OH 45056

Legal Description * Parcel No: H4100.016.000.074; Lot#3076

Zoning District * GB

Total Area * 0.476 → Check One * Acres ☒ Square Feet ☐

Existing Use Description * Single Family Residence til 2015 when the house was demolished for future credit union.

Proposed Use Description * Miami University Community Federal Credit Union office and bank facility with drive-thru.

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
- Application Fee.
 - Description of Use and Site.
A written, detailed description shall include the following information. A separate response is required for each subsection.
 - The name, mailing address, and telephone number of the applicant and the property owner.
 - If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 - A legal description of the site, including all separate lots.

- A. The proposed use is in fact a Conditional Use appropriate for the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Fees & Receipt

The required fees are \$400.00 plus \$10.00 for postage. You may write a \$410.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Maria E. Schuttles

Date *

07-27-18

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only	7/30	212930
Fee Paid Date *		Receipt Number *

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter/>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>



135 north main street
dayton, oh 45402-1730
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July 26, 2018

Conditional Use Application
City of Oxford
101 E. High St.
Oxford, OH 45056

TAG COMMISSION NO.: 1752

RE: Conditional Use Application

Miami University and Community Federal Credit Union new building
31 Lynn Avenue
Oxford, OH 45056

Dear City of Oxford Planning Commission,

We are pleased to submit these documents to you in support for the new building for Miami University Community Federal Credit Union (MUCFCU) in the City of Oxford. We hope that this application, and the documentation contained within can aid and assist you in making your decision in support of our project. We look forward to your review and welcome any commentary from the Planning Commission or the Community at large.

The written, detailed description and responses to the questions in the Conditional Use Permit are as follows, written in bold.

1. *The name, mailing address, and telephone number of the applicant and the property owner.*

Please see attached Condition Use Permit Application for the name(s), mailing addresses and telephone numbers of the applicant and property owner.

2. *If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.*

Please see the attached Agent Authorization Letter dated 7/24/2018.

3. *A legal description of the site, including all separate lots.*

Parcel Number: H4100.016.000.074; Lot #3076.

4. *A description of the existing uses of the site.*

The existing site had a 2500SF single family residence with a basement and an attached one car garage. MUCFCU bought the lot in 2014 and after extensive design studies to maintain the existing structure as the credit union offices it was deemed ineffective use of the building and site with excessive renovation cost, therefore in 2015 the residence was demolished and the basement infilled in preparation for their new building.

5. *The zoning district in which the site is located.*

The zoning district is GB.

6. *A. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.*

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The Miami University and Community Federal Credit Union serves all of the Butler County community. As an industry leader, the credit union assist member-owners in realizing personal financial success by providing competitive, value oriented products and services delivered in the tradition of excellence. The credit union provides both personal and commercial banking services inclusive of saving & checking accounts, loans, mortgages, and financial-planning. The new facility will have inside walk-up teller services, (6) loan officers, (2) drive-thru teller lanes, located on the north side of the building, and an exterior 24HR drive up ATM machine. Business at the credit union will vary from day to day but on average serving between 200-300 members for banking or financial services. Approximately 25%-40% of this business is via the drive thru. Truck deliveries will include USPS mail, Fed-Ex/UPS shipping and office and banking supplies with weekly front loading trash and recycling service vehicles.

B. The hours of operation

The credit union will be open six days a week 9AM-5:30/6PM, with the exception of Saturday (1PM) and is closed on Sunday. The ATM will be operational 24HR/day.

7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.

A. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.

Adjacent area uses include food service, banking, animal care, car service, retail and other such commercial service businesses. The credit union fits clearly into the existing service oriented business fabric of the surrounding blocks and easily could be one of several stops for clientele in the area. Not only will the credit union be serving patrons to the surrounding businesses but they are there to offer commercial banking services for all businesses in the area and county wide.

B. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.

The new MUCFCU building is designed to fit comfortably on the 0.476 acre lot. The site design is a compact and efficient use of the lot with both driveway access and connecting lot sidewalk access; this enables members' safe and easy vehicular, cycle or pedestrian access to the building. The credit union is designed to add to the current aesthetic character of the General Business zoning district with a rich masonry exterior and shingled hip and gable roof line that relates well to adjacent buildings. The varied roofline helps to minimize the impact of the 3600 square foot building by reducing its mass and providing greater human scale. The masonry base and central glazed entry piece offer a level of permanence and importance to the structure inherent in the community oriented financial institution.

C. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.

The new use of the site will create no excessive nuisances. Noise, lights and emissions common to a public service facility with a drive-thru will be created. This is not uncommon in the neighborhood with drive-thru businesses and car service bays adjacent to the property on the north, northwest, west, and southwest and a proposed drive-thru to be added at the LaRosa's to the northeast. With the credit union operating hours limited to

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typical business day hours (8AM-6PM) traffic will be less than neighboring businesses which have longer operating hours. No excessive noise, lighting, odor, et cetera is expected.

D. How any potential negative effects on adjacent land will be mitigated.

MUCFCU is about community and will provide neighboring businesses and patrons valuable financial opportunities. The building will add to the aesthetic character of the neighborhood. A well thought out site design will have a positive effect on adjacent land by being conscious of and controlling storm water via a retention area and permeable surfaces, tasteful signage, controlling waste management via an enclosure and providing exterior lighting that provides a safe yet non obtrusive lit environment for patrons and passersby alike.

8. A statement about why the location proposed is more appropriate for the use than other locations.

The credit union's current Wells-Mill location will no longer be an option starting in 2020. The College Corner location is approximately 6 miles to the northwest and not convenient for members that have come to count on an in town location for banking and financial services. The 31 Lynn Ave location offers prime visibility and visitability for the credit union and its members, current and future. The adjacency to shopping, food service and retail will allow end users to minimize trips while maximizing efficiency of time in completing errands. For forty-nine years MUCFCU has served the Miami University community and it is important they invest in the Oxford community itself by maintaining an office and a presence in the heart of Oxford.

9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.

MUCFCU has served the Miami University community for 49 years. As a strong supporter of community success and growth for the good of the community itself and not for the financial success of the banking institution it is desirable that MUCFCU maintains a strong tie to the community. The new building and credit union location will allow MUCFCU to remain a part of Oxford and an asset for the continued growth and development of Oxford and the people that call Oxford home. With the new location and building the credit union will remain at the heart of the economic development area and their services to the community will be expanded and enhanced.

10. A list of the names and mailing addresses of all land owners within 200 feet of the site.

Please see the attached document with the mailing addresses of neighboring properties.

Thank you for reviewing our documents and we look forward to any commentary or questions that may arise!

Respectfully,



Maria E Schertler, AIA
Senior Project Architect

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www.taguit.com

July 26, 2018

Planning Commission
City of Oxford
101 E. High St.
Oxford, OH 45056

TAG COMMISSION NO.: 1752

RE: Conditional Use Application variances

Miami University and Community Federal Credit Union new building
31 Lynn Avenue
Oxford, OH 45056

Dear City of Oxford Planning Commission,

We submit this required Conditional Use application for the new building for Miami University and Community Federal Credit Union (MUCFCU) in the City of Oxford, per Section 1147 Conditional Use; drive-through banking. Included in this submission are areas of noncompliance with the City of Oxford Zoning Code and we request the following variances as part of the Conditional Use Application.

1. Chapter 1143 Districts

Section 1143.12 GB General Business

c. Site Development Regulations

4A Windows and transparent doors must occupy a minimum of 60% of the entire building wall area between 2.5' and 7' above grade plane along the front façade.

The front façade provides for 35% transparent glazing in the required area and height of the front façade. A spandrel window is located at the safe room, for security and safety reasons this should not be a transparent window. The spandrel window increases the percentage of total glazing to 45% of the front façade. Additionally the design for the entry includes a 2-story high glazed entry space which will flood the interior space with light. The total percentage of transparent glazing on the front façade, for its full height and area is 37%.

2. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

a. Location

2: All paved areas shall be a minimum of 6'-0" off any lot line.

The 173' north lot line is within 6" to 1'-0" of the north drive-through paved lanes for a length of 78'. The adjacent lot to the north provides a minimum of a 17' wide green space along the length of the north lot line. The 173' south lot line is within 3'-7" to 5'-0" of the south paved area, for a length of 104'. This green space is planted the length with evergreen and deciduous shrubs and perennial prairie grasses to help buffer the adjacent building, which sits approximately 3' to 10' from its north lot line. The east and west paved areas are 6'-0" off their respective lot lines.

3. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

a. Access Management

1D: All paved areas shall be a minimum of 30 feet from any other curb cut (measured from the lot line).

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The existing curb cut for the adjacent property to the south (the Animal Clinic) is within 30' of the south lot line. The new curb cut for the credit union is located 7'-0" from the south lot line. Site layouts were studied that located the drive-through on the south side of the building and the curb cut on the north side of the site but these layouts resulted in even greater areas of paved access roads, difficult traffic patterns for the drive-through, a smaller and tighter building and less green space. The distance between the south edge of the new curb cut and the north edge of the Animal Clinic curb cut is approximately 30' at the lot line.

The proposed site design locates the less desirable drive-through traffic along the adjacent parking lot and keeps the walk in traffic to the south and thus towards the adjacent Animal Clinic. We feel this is a more desirable traffic pattern for the adjacent properties.

4. Chapter 1149 Vehicle Management

Section 1149.05 Non-Residential Regulations

e. Additional Requirements

4: Parking Lot Design

R: Material and width of walkways at least 5'-0" wide.

The side walk along the south elevation of the building, adjacent to parking spaces #3, #4 and #5 is 4'-6" wide. The reduction of side walk width occurs for 26', the remainder of this sidewalk is 5'-6" wide and the accessible parking space is adjacent to the 5'-6" wide length. The parking spaces at the east of the lot will primarily serve employees who will enter at the east rear entry door. The sidewalk width reduction is a result of the varying depth of the south elevation to allow for the interest in the roof line and helps to reduce the massing of the building and fit with the adjacent building fabric.

Site sidewalks extend along the west lot line at Lynn Avenue connecting to the existing side walk to the north, there is no existing sidewalk at the south property to connect to but the sidewalk extends to the lot line. The east west sidewalk/path extends from the front sidewalk to the rear parking area, all but 6'-0" of the site length. We would like to note that MUCFCU has made attempts to coordinate with the property owner to the east (LaRosa's and shops) regarding extending the sidewalk to the eastern property and has offered to pay for the continuation of the sidewalk on their property to the paved area in order to increase pedestrian and bicycle traffic ways. The property owner to the east has not agreed to any joining sidewalk or connecting path.

We hope that this application, and the documentation contained within can aid and assist you in making your decision in support of our project. We look forward to your review and welcome any commentary from the Planning Commission or the Community at large.

Thank you for reviewing our documents and we look forward to any commentary or questions that may arise!

Respectfully,



Maria E Schertler, AIA
Senior Project Architect

NEW CREDIT UNION BUILDING
MIAMI UNIVERSITY COMMUNITY CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

ABBREVIATIONS

[illegible]SYMBOL LEGEND

The diagram illustrates the data flow and components of a building's energy management system. It features a central cloud representing the building, with various components connected to it. On the left side, a 'ROOM PLANE AND ZONE' block is connected to 'DOORS / OPENING' and 'SCHEDULED HEAT'. 'SCHEDULED HEAT' is connected to 'HEAT METER NOTE'. 'HEAT METER NOTE' is connected to 'PARTITION TYPE'. 'PARTITION TYPE' is connected to 'FLOOR ELEVATION'. 'FLOOR ELEVATION' is connected to 'CHASSIS ELEVATION'. 'CHASSIS ELEVATION' is connected to 'WALL SECTION'. On the right side, a 'BUILDING SECTION' block is connected to 'DETAIL FINANCE'. 'DETAIL FINANCE' is connected to 'BUILDING COST' and 'FLOOR COST'.

[illegible]

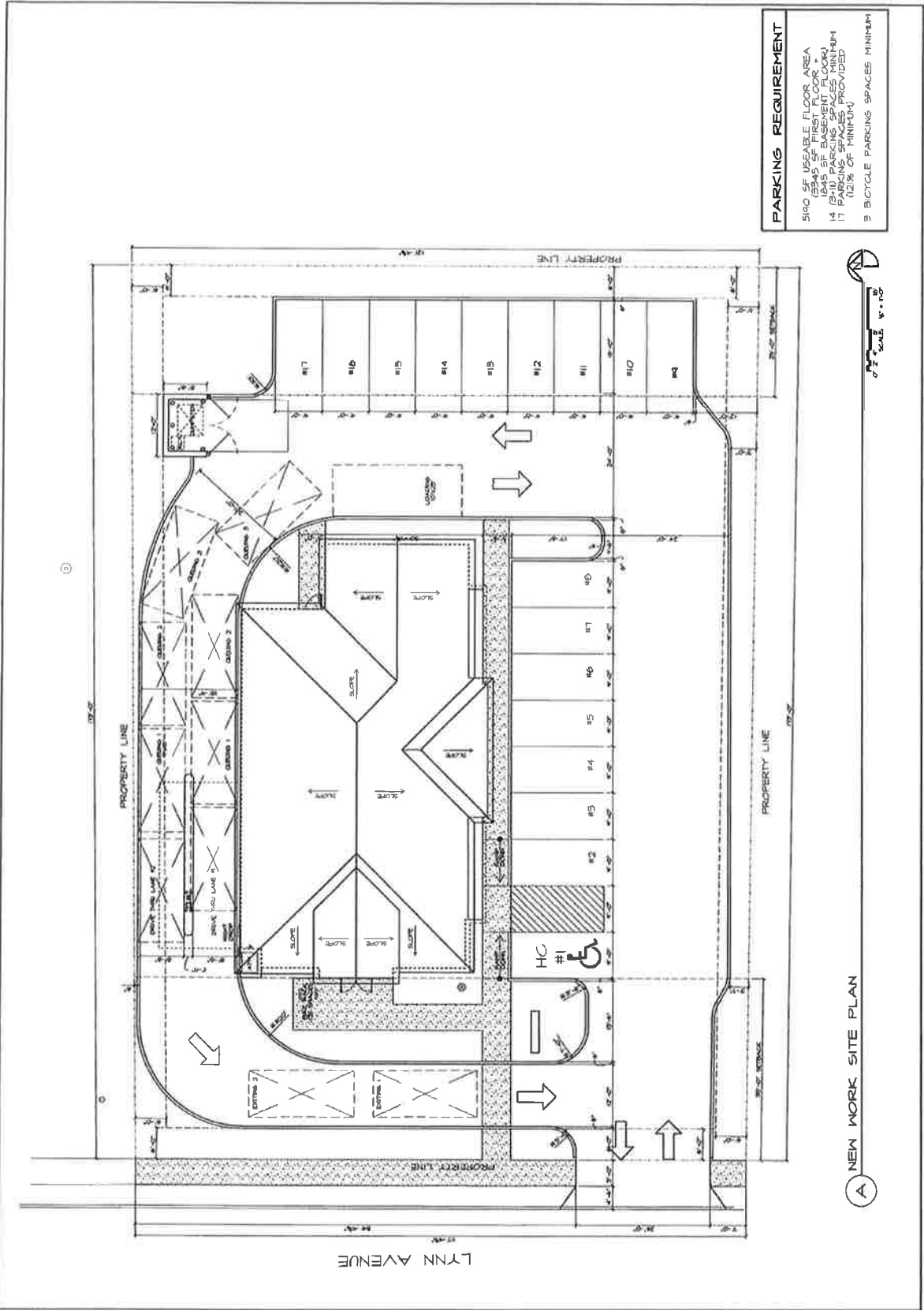
ZONING MAP:



LOCATION MAP,



DATE	07/27/18
SHEET NO.	1
TITLE	SHEET
PROJECT	11
DATE	07/27/18
SHEET NO.	1
TITLE	SHEET
PROJECT	11



A NEW WORK SITE PLAN

PARKING REQUIREMENT	
5100 SF USABLE FLOOR AREA	
1645 SF FIRST FLOOR	
1645 SF BASEMENT FLOOR	
14 (210) PARKING SPACES MINIMUM	
17 (210) PARKING SPACES PROVIDED	
(125% OF MINIMUM)	
3 BICYCLE PARKING SPACES MINIMUM	

C1.2

SITE PLAN

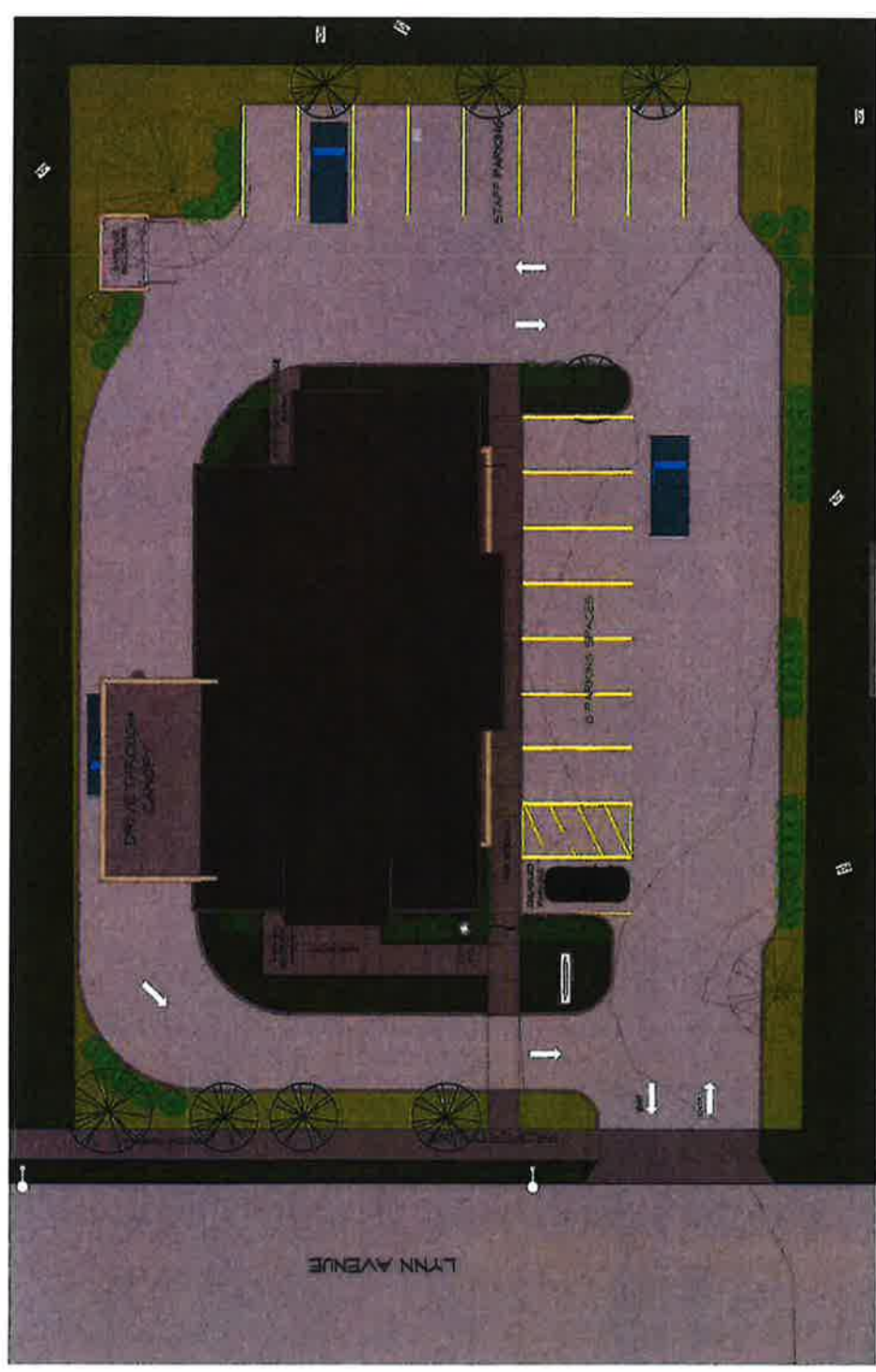
07/27/18

1752

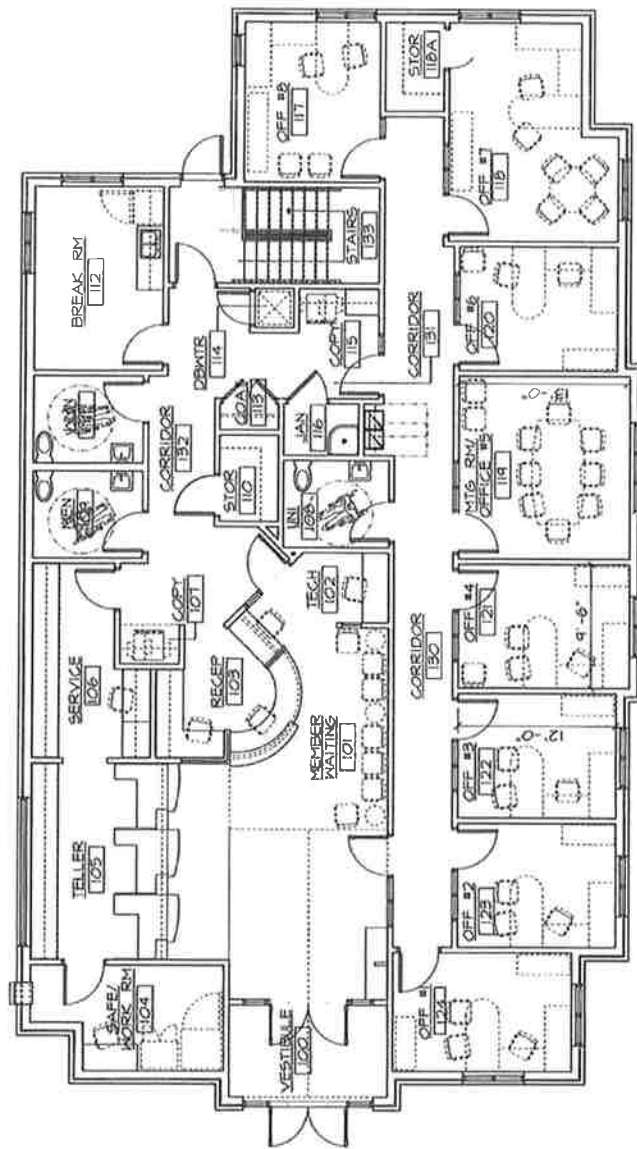
NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

the architectural group
125 north main street
oxford, ohio 45056
tel: 517.223.0868
fax: 517.223.2500
www.thegrouparch.com

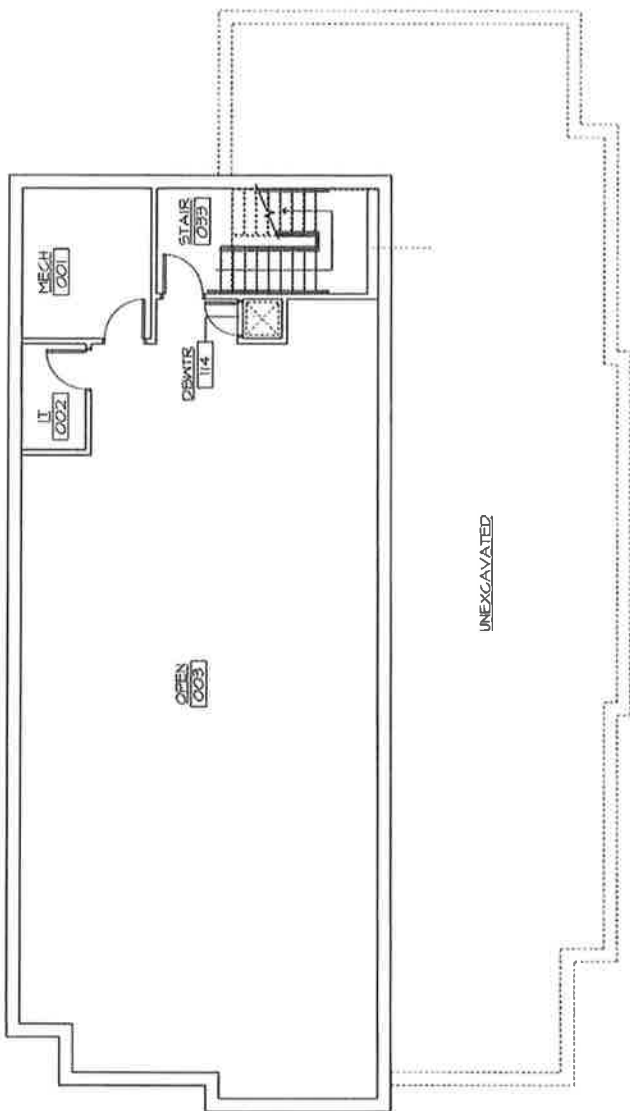
PREPARED BY
ARCHITECTURAL GROUP



1 SITE PLAN

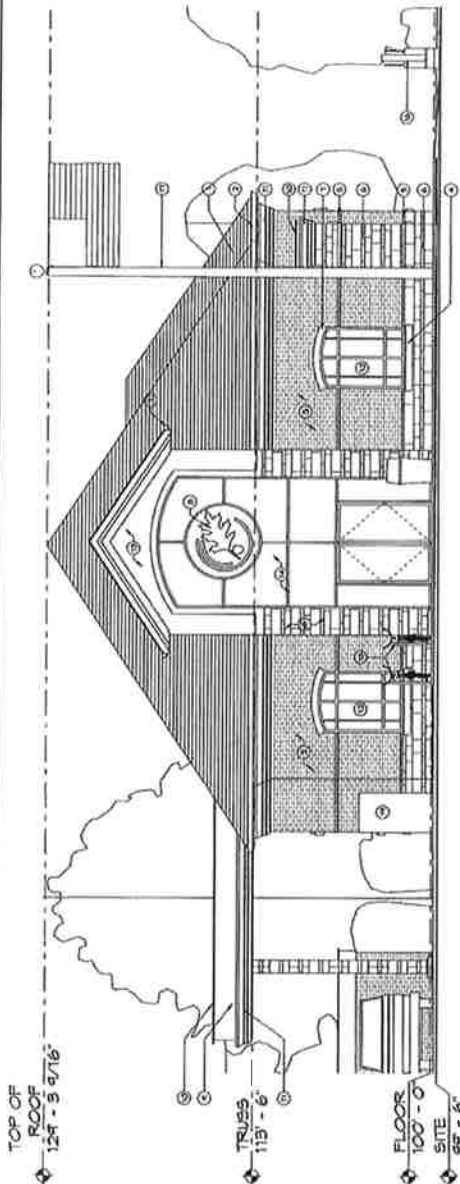


CONCEPTUAL FIRST FLOOR PLAN



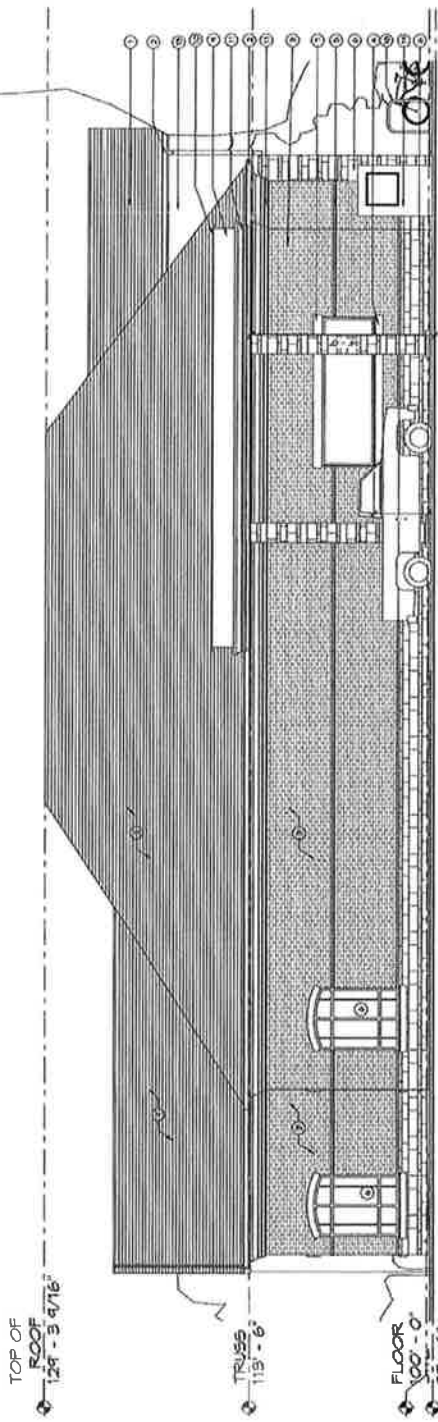
O NEW WORK NOTES:

1. ASPHALT COMPOSITION ROOF SHINGLES
2. CONTINUOUS ALUMINUM SUTTER
3. BRICK VENER
4. PRECAST CONCRETE SILL
5. 4" BRICK SOLIDLOCK CHAMBER
6. 8" SPAT PALE MASONRY
7. PRECAST CONCRETE ROOF
8. BRICKWORK APPLIED WITH LUGS
9. BRICK CHIMNEY
10. CONTINUOUS METAL CORNER
11. CONTINUOUS EPS CORNER TRIM
12. INSULATED GLASS IN ALUMINUM STOREFRONT
13. EPS CLADDING
14. INSULATED GLASS IN ALUMINUM STOREFRONT
15. HOLLOW METAL DOOR AND FRAME
16. NEW EXTERIOR BUILDING FINISH
17. NEW FLAT ROOF
18. BRICK MAJOR
19. AIR CORNER



1 EAST BUILDING ELEVATION

1/4" = 1'-0"
SCALE 1/4" = 1'-0"



4 SOUTH BUILDING ELEVATION

1/4" = 1'-0"
SCALE 1/4" = 1'-0"



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NEW CREDIT UNION
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OXFORD, OHIO 45056

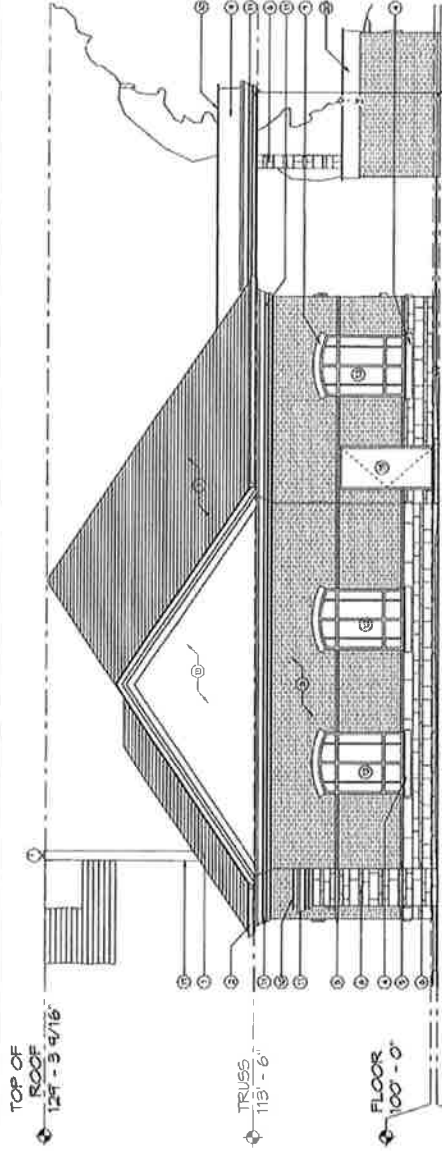
THE
SPK, HES, NOB
FOOTPRINT 10' x 10'

07/26/10
EAST & SOUTH
ELEVATIONS

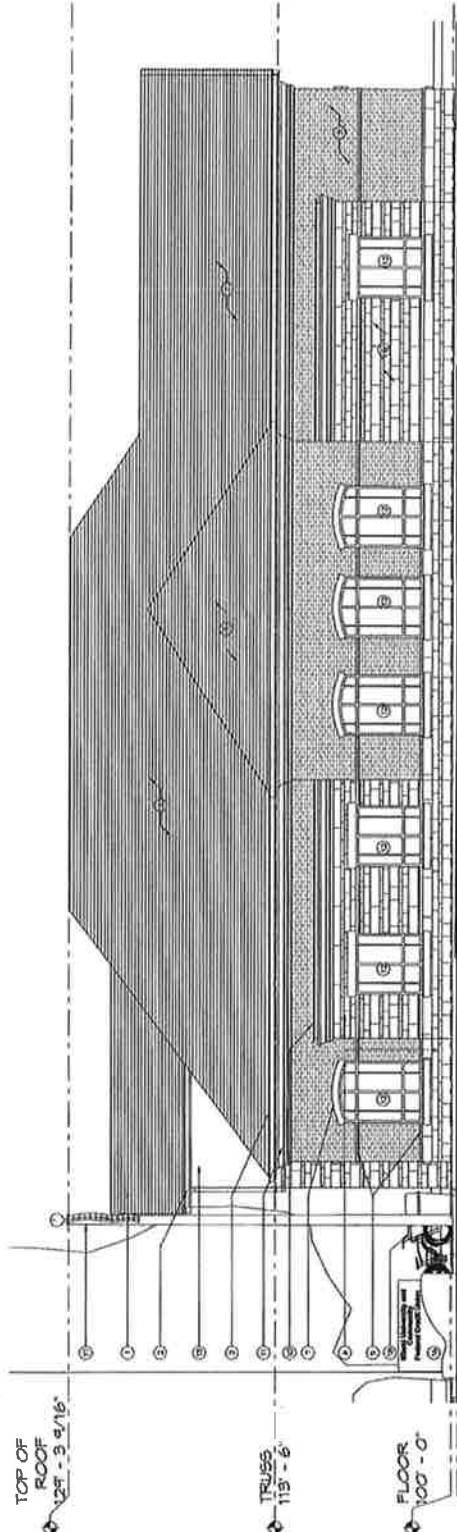
A2.1

NEW WORK NOTES:

1. ADHESIVE COMBINATION ROOF MEMBRANE
2. CONTINUOUS ALUMINUM SUTTERS
3. BRICK VENEER
4. PRE-CAST CONCRETE ALL
5. 4" BRICK NON-LOGS BATTERY
6. 8" SPILT FINE MASONRY
7. PRE-CAST CONCRETE HEADERS
8. SURFACE APPLIED FIRM LOGS
9. EPS CANSOL
10. CONTINUOUS METAL CORNER
11. CONTINUOUS EPS CORNER TRIM
12. TYPICAL INSULATED GLASS IN ALUMINUM STOREFRONT
13. EPS CLADDING
14. TYPICAL INSULATED GLASS IN ALUMINUM STOREFRONT
15. HOLLOW METAL DOOR AND FRAME
16. NEW EXTERNAL BUILDING SHADING
17. NEW LEAD PILE
18. BRICK MASONRY
19. AIRY CONSOLE
20. SHADING ENVELOPE



2 WEST BUILDING ELEVATION

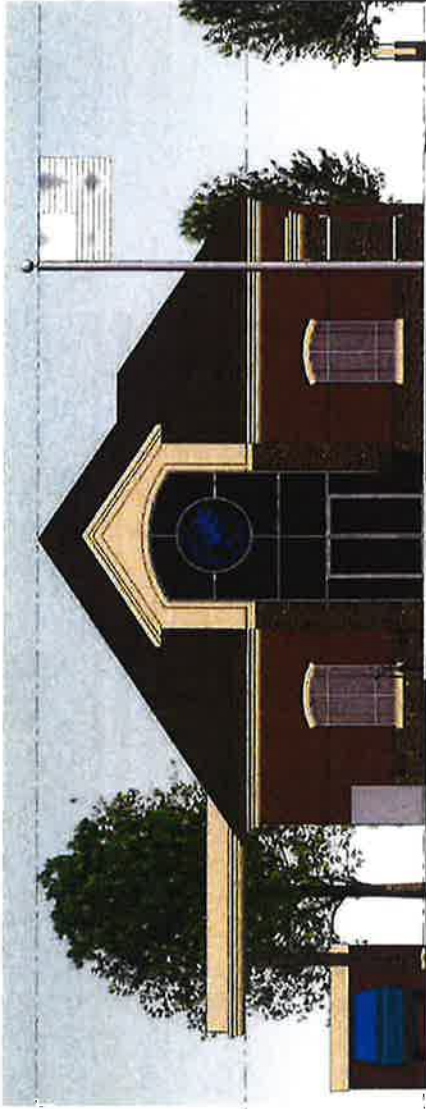


1 NORTH BUILDING ELEVATION

THE ARCHITECTURAL GROUP
135 SOUTH MAIN STREET
OXFORD, OHIO 45056
TEL: 513.222.2200
FAX: 513.222.0008
WWW.ARGH.COM

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

DATE: 07/26/16
SHEET: 02 OF 02
PROJECT: NEW CREDIT UNION
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]



TOP OF
ROOF
129' - 3 9/16"

TRUSS
13'-6"

FLOOR
100 - 0

SITE
99' - 6"

2 EAST BUILDING ELEVATION RENDERED

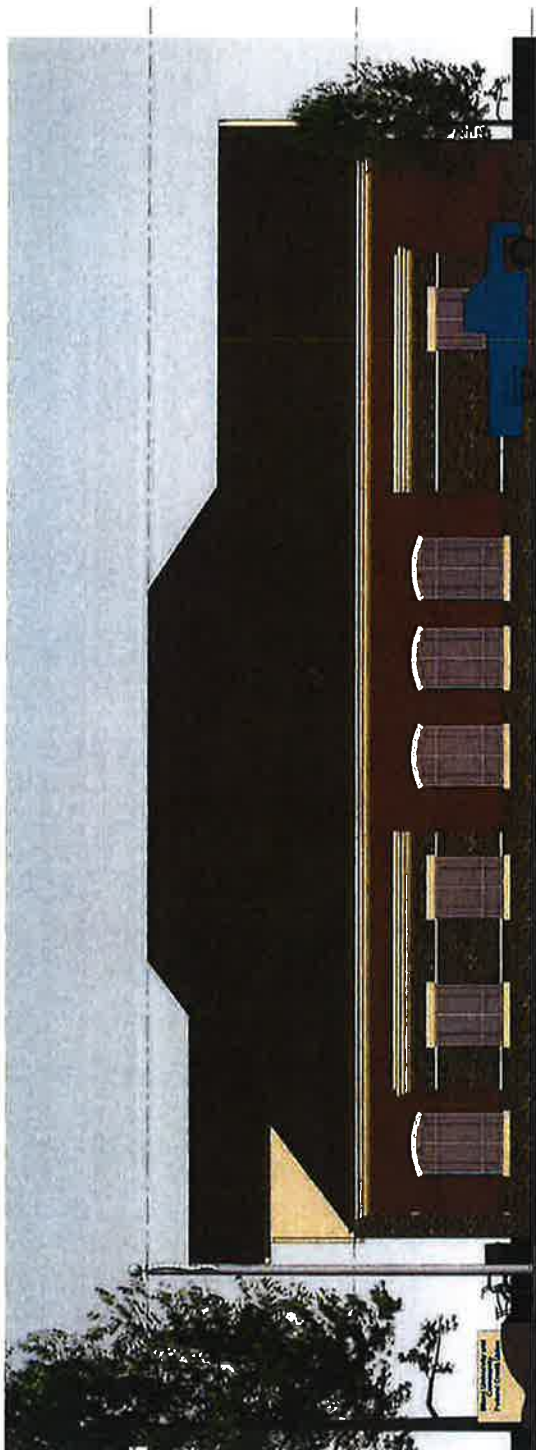


TOP OF
ROOF
12' - 3 9/16"

②—附錄五

FLOOR - 100 - 0
SITE - 99 - 6

SOUTH BUILDING ELEVATION RENDERED



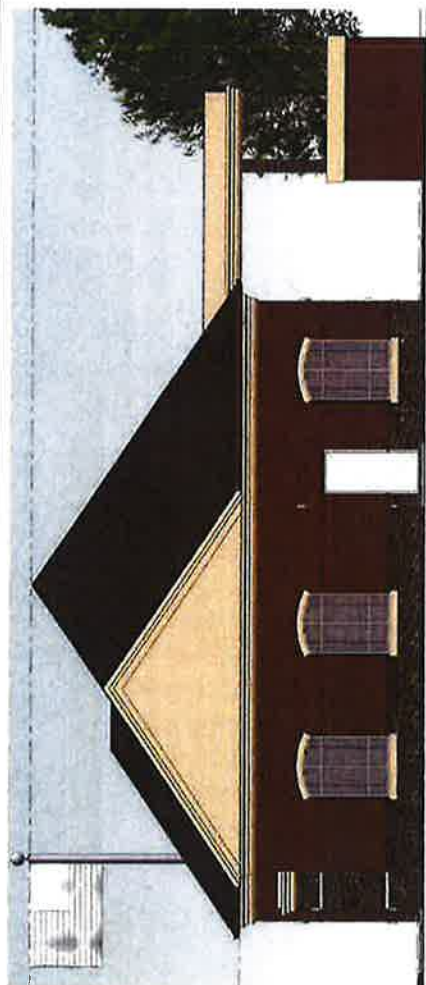
1. NORTH BUILDING ELEVATION RENDERED

SITE 63

FLOOR

TRUSS

TOP OF
ROOF
129 - 3 9/16"



WEST BUILDING ELEVATION RENDERED

Site - 5

FLOOR

$$\frac{1125}{113} = 6$$

TOP OF
ROOF
125' - 3 9/16"

RENDERED VIEW FROM NORTH WEST CORNER



A3.1

EXTERNAL RENDERING

Model

1752

Author

1752

1752

1752

1752

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

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RENDERED VIEW FROM SOUTH SIDE



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Fax: 513 223 0888
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A3.3

EXTERIOR
RENDERING

01/27/16

1153
SPK



RENDERED VIEW FROM SOUTH EAST CORNER



125 NORTH MAIN STREET
OXFORD, OHIO 45056
TEL: 614.222.0688
FAX: 614.222.0688
WWW.A3.6.COM

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

DATE: 01/27/10
DRAWN BY: ESK/MS/ND
CHECKED BY: TSC
PROJECT NO: 1002
SHEET NO: A3.6
SCALE: 1/8" = 1'-0"



RENDERED ARIEL VIEW

NEW CREDIT UNION
31 LYNN AVENUE
OXFORD, OHIO 45056

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fax 513 223 2506
web www.thegroup.com

pedestrian
bicycle

DATE 07/27/19
DRAWN BY
CHECKED BY
PROJECT NO.
SHEET NO.
CONTEXT PHOTOS
A4.1



PHOTO #1



PHOTO #2

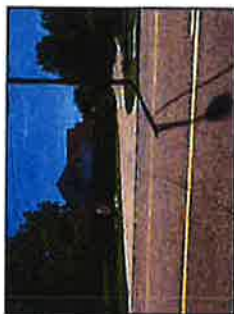


PHOTO #3



PHOTO #4



A PHOTO KEY PLAN

SCALE: NOT TO SCALE



PHOTO #5



PHOTO #6



PHOTO #7

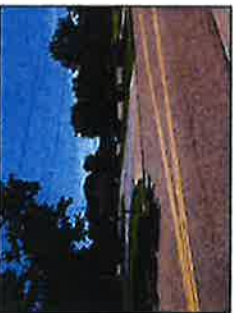


PHOTO #8



PHOTO #9

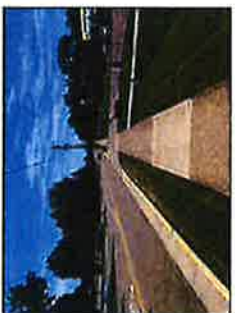


PHOTO #10