

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Council Meeting Of : 10/17/2017

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

10/31/2017
Date Prepared

Agenda Title:	2017 Supplemental Budget #8
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Recommendation:	Approve
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Issue 1

To make adjustment to budget for 2018 OVI Task Force Fund revenue & expenditures

Action Needed:

Revenue Side

OVI (419)	225,000.00	Advance from General Fund
OVI (419)	224,695.00	OVI reimbursements
General (110)	225,000.00	Repayment of advance from OVI Task Force Fund

Expense Side

General (110)	225,000.00	Advance to OVI Task Force Fund
OVI (419)	224,695.00	OVI Task Force Fund Expenditures
OVI (419)	225,000.00	Repayment of advance to General Fund

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

Issue 2

To make adjustment to budget for additional revenue & expenditures related to construction projects (NIC payments)

Action Needed:

Revenue Side

General (110)	100,000.00	Building, Electrical, Heating permits
Board of Building Standards (414)	4,145.00	BBS Fees

Expense Side

General (110)	100,000.00	Additional expenditures for NIC payments
Board of Building Standards (414)	4,145.00	Additional expenditures for BBS fees

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

Issue 3

To make adjustment to budget for additional revenue & expenditures related to income tax collections

Action Needed:

Revenue Side

General (110)	795,000.00	Income Tax receipts
Fire & EMS (418)	121,000.00	Income Tax receipts

Expense Side

General (110)	69,849.00	Additional expenditures for retainage & refunds for income tax collections
Fire & EMS (418)	10,479.00	Additional expenditures for retainage & refunds for income tax collections
Net Effect on Fund Balance/(s) Increase/(Decrease)	835,672.00	

Issue 4

To make adjustment to budget for additional revenue for reimbursements (Workers Compensation)

Action Needed:

Revenue Side

General (110)	52,000.00	Reimbursements
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Expense Side

Net Effect on Fund Balance/(s) Increase/(Decrease)	52,000.00
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Issue 5

To make adjustment to budget for additional expenditures for legal expenses

Action Needed:

Revenue Side

Expense Side

General (110)	34,000.00	Additional expenditures for legal expenses
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(34,000.00)
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	853,672.00
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Breakdown by Fund

General (110)	743,151.00
Fire & EMS (418)	110,521.00
Board of Building Standards (414)	-
OVI (419)	-

Net Effect on Fund Balance/(s) Increase/(Decrease)	853,672.00
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Approved By:

Department Head:

City Manager:

[Signature] *[Signature]*
Date: 10/31/17 Date: 11/3/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

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

OVI Task Force Fund 419	225,000.00
OVI Task Force Fund 419	224,695.00
General Fund 110	225,000.00
General Fund 110	100,000.00
Board of Building Standards 414	4,145.00
General Fund 110	795,000.00
Fire & EMS Fund 418	121,000.00
General Fund 110	52,000.00

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

General Fund 110	225,000.00
OVI Task Force Fund 419	224,695.00
OVI Task Force Fund 419	225,000.00
General Fund 110	100,000.00
Board of Building Standards 414	4,145.00
General Fund 110	69,849.00
Fire & EMS Fund 418	10,479.00
General Fund 110	34,000.00

SECTION 4: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources
Originating Department

Council Meeting Of: November 7, 2017

Account Code No. #: N/A

Candi Fyffe
Prepared By

Budgeted Amount: N/A

November 1, 2017
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, 2018 Through December 31, 2018.

Recommendation: Approve.

Discussion: Changes are indicated by strikeout.

Section 1. The Safety Department-Fire Division is requesting an increase in the number of full-time Firefighter/Paramedics to six (6).

Section 1. The Safety Department-Police Division is requesting an increase in the number of full-time Police Officers to seventeen (17).

These changes will result in total authorized full-time personnel of **one hundred fifteen (115) full time employees.**

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

Section 3. Staff is requesting an increase to the maximum compensation of part-time positions by increasing the rate by three percent (3%).

Section 3. Staff is requesting to add one (1) part-time Zoning Inspector to the Community Development Department.

Section 3. Staff is requesting to change the names of the two (2) Assistant to the Chief positions to more accurately reflect the current job duties. The first position will be known as Property Custodian and the second position will be Community Outreach Specialist.

Section 7.F. Staff is requesting a change to the Personal Days provided. Personal Days will be increased to five (5) days – forty (40) hours. This change is to try and equalize the number of personal hours some contract employees are allotted.

Attachment A: The pay bands have been increased by 3% for 2018.

Attachment B. Vacation: Staff is recommending an update to this section to reflect the amount of vacation full-time Fire Captains and Firefighters can carryover from one calendar year to the next. It now reflects that Full-Time Fire Captains and Firefighters can carryover over up to one year's

vacation accrual plus 72 hours.

Attachment B. Fire Captain Salary Schedule. This section was revised to show the final 5% increase in pay and 3% COLA increase for Fire Captains.

Attachment B. Firefighter/Paramedic Salary Schedule. This Section was revised to show a 3% increase for Firefighter/Paramedics. In addition, a salary schedule for newly hired Firefighter/Paramedics was added.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

CF \ 11/1/17

DRE \ 11/2/17

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~~7~~ THROUGH DECEMBER 31, 2018~~7~~.

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 & Benefits 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

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	36	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	176	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	1	1
Engineering Division			
City Engineer	C	1	6
Engineer-In-Training (EIT)	C	1	5
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		9	
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:		411115	

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 an ~~additional 32% increase (for a total of 4% for 2017)~~ 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.

SECTION 3: The following part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

Position	Authorization # of Employees	Maximum Pay Rate
Finance Department		
Accounting Assistant	1	\$15.00 15.45/hr
Parks & Recreation Department		
Park/Recreation Technician	5	\$ 12.00 12.36/hr
Program Coordinator	4	\$ 15.00 15.45/hr
Senior Program Coordinator	1	\$16.25 16.74/hr
Custodian	3	\$ 14.00 14.42/hr
Community Development Department		
Code Enforcement Officer Zoning Inspector	1	\$25.00 /hr
Service Department		
Deputy Director	1	\$ 40.64 41.86/hr
Laborers	4	\$ 13.00 13.39/hr
Streets & Maintenance Division		
Wastewater Collection		
Water Plant Operators	2	\$ 21.00 21.63/hr
Safety Department – Fire Division		
Part-Time Firefighters/EMTs	30	\$17.00 17.51/hr
Firefighters and/or EMTs	64	\$17.00 17.51/hr
Fire Division Captains	3	\$18.00 18.54/hr
Fire Division Lieutenants	1	\$17.00 17.51 per hour
Safety Department – Police Division		
Assistant To the Chief—Parking & Transportation Property Custodian	1	\$27.38 28.21/hr [CF1]
Assistant to Chief—Business Liasion Community Outreach Specialist	1	\$27.38 28.21/hr
Police Officer	6	Contract base pay
Public Safety Assistant	4	Contract base pay
Dispatcher/Clerk	4	Contract base pay
TOTAL Part-Time Authorized Strength:	136	
City-Wide		
Intern/Temporary Part-Time		\$14.00/hr

SECTION 4: The following seasonal part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

Position	Authorization	
	# of Employees	Pay Rate
Safety Department – Fire Division		
Fire/EMS for Miami University Coverage		\$45.00 per hour
Parks & Recreation Department		
Park/Recreation Technician	36	\$11.50/hr
Program Coordinator	3	\$14.50/hr
Service Department		
Street Department		
Laborer	7	\$ 13.00/hr
Wastewater Division		
Plant		
Laborer	1	\$ 13.00/hr
Collections		
Laborer	1	\$ 13.00/hr
Water Division		
Plant		
Laborer	1	\$13.00/hr
TOTAL Seasonal Part-Time Authorized Strength:	49	

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 (1500) hours in any given Calendar year or in excess of one hundred-six (106) hours in any pay period.

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/~~4~~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)
~~Four (4)~~Five (5) Personal Days - ~~32-Hours~~40 Hours^[CF2]

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.

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, 2018⁷and are full-time employees of the City on or before December 31, 2018⁷. 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 2018⁷ shall be given the appropriate longevity payment with final pay. All other eligible employees will receive Longevity Bonus pay in November 2018⁷. 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 20187, \$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 (~~2017~~2018)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
PAY BAND 7		
Annual	\$64,877 66,830	\$116,626 120,141
Hourly	\$31.19 32.13	\$56.07 57,76
PAY BAND 6		
Annual	\$50,466 52,000	\$89,591 92,290
Hourly	\$24.26 25.00	\$43.07 44.37
PAY BAND 5		
Annual	\$43,216 44,512	\$72,840 75,026
Hourly	\$20.78 21.40	\$35.02 36.07
PAY BAND 4		
Annual	\$37,979 39,125	\$61,589 63,440
Hourly	\$18.26 18.81	\$29.61 30.50
PAY BAND 3		
Annual	\$34,430 35,464	\$58,040 59,800
Hourly	\$16.55 17.05	\$27.90 28.75
PAY BAND 2		
Annual	\$32,200 33,176	\$52,262 53,830
Hourly	\$15.48 15.95	\$25.13 25.88
PAY BAND 1		
Annual	\$29,107 29,994	\$47,220 48,651
Hourly	\$13.99 14.42	\$22.70 23.39

ATTACHMENT A

CITY OF OXFORD OHIO

PAY BANDS (~~2017~~2018)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
PAY BAND 7		
Annual	\$64,877 66,830	\$116,626 120,141
Hourly	\$31.19 32.13	\$56.07 57,76
PAY BAND 6		
Annual	\$50,466 52,000	\$89,594 92,290
Hourly	\$24.26 25.00	\$43.07 44.37
PAY BAND 5		
Annual	\$43,216 44,512	\$72,840 75,026
Hourly	\$20.78 21.40	\$35.02 36.07
PAY BAND 4		
Annual	\$37,979 39,125	\$61,589 63,440
Hourly	\$18.26 18.81	\$29.64 30.50
PAY BAND 3		
Annual	\$34,430 35,464	\$58,040 59,800
Hourly	\$16.55 17.05	\$27.90 28.75
PAY BAND 2		
Annual	\$32,200 33,176	\$52,262 53,830
Hourly	\$15.48 15.95	\$25.13 25.88
PAY BAND 1		
Annual	\$29,107 29,994	\$47,220 48,651
Hourly	\$13.99 14.42	\$22.70 23.39

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 over 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 Salary Schedule

The following salary schedule shall take effect 1/1/~~2017-2018~~ for all full-time Fire Captains. Fire Captains who are employed on January 1 of ~~2017-2018~~ will receive the amount listed below plus any additional overall adjustment granted by Council.

2017-2018	\$67,932.80 73,486
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~~2017-2018~~ Holiday pay check will equal (80 hours total) at ~~\$32,663.33~~ per hour or ~~\$2642,802,826.00~~ total.

Firefighter/~~Paramedic~~ Salary Schedule

Any newly hired firefighter in ~~2017-2018~~ will be paid the following rate.

2017-2018	\$54,204.80 55,848
----------------------	-------------------------------

~~2017-2018~~ Holiday pay check will equal (80 hours total) at ~~\$26,062.85~~ per hour or ~~\$2084,802,148.00~~ total.

Any newly hired Fire Captain or Firefighter/~~Paramedic~~ in 2018 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

Parks and Recreation
Originating Department

Council Meeting Of: November 7, 2017

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: October 16, 2017

Agenda Title: Recreation Advisory Board Meeting, 10/10/17
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Recommendation: Approve

Attendance: Members: Ken Bogard, Kevin Ackley, Craig Bennett, Wes Cole

Liaisons: Casey Wooddell, City Staff; Edna Southard, City Council; Deanna Barbour, Recorder

Guest: Jessica Greene, Enjoy Oxford

Discussion:

Recreation Advisory Board (RAB) met Tuesday, October 10 at 4:00pm at the Oxford Seniors Center. Mr. Wooddell informed the RAB members of the work session with City Council scheduled for Tuesday, October 17 at 6:00pm. Mr. Wooddell informed RAB members this meeting would be centered on the funding of the family aquatic center.

Ms. Jessica Greene was invited to the meeting to discuss ideas and concept of a potential levy to help fund the aquatic center and/or OATS multi-purpose recreation trail. Ms. Greene distributed information to the RAB members and reviewed two concepts, including the pros and cons of each plan. Ms. Greene outlined the current phases of the OATS trail which have either been completed or scheduled for completion in the coming years, as well as the remaining sections of the trail which will be vital to providing active transportation to other neighborhoods and destinations in and around the City of Oxford.

Mr. Wooddell informed the RAB members that they will need to make a recommendation to City Council at the work session regarding which funding method to utilize for the new aquatic center. The RAB will be asked to present first at the Council Work Session.

RAB members entered further discussion about active transportation options and its importance to the new family aquatic center's location at the Oxford Community Park. Ms. Greene noted the OATS trail intentionally connects neighborhoods and schools all around the City. Public transportation was also discussed, including future consideration for bus shelters and pickup locations, and how the future plan needs to include a stop at the Oxford Community Park.

RAB members engaged in heavy discussion about the pros and cons of the levy options presented by Ms. Greene. This discussion included when the levy would be presented (Spring 2018) and how a potential failed levy could impact the timeline and construction of the aquatic center. Mr. Bogard made a motion to recommend separating the funding for the aquatic center and the OATS trail, and having the City pay for the aquatic center and utilizing potential levy funds to complete the OATS trail. Mr. Ackley seconded the motion. Following some additional discussion, motion carried 4-0.

Mr. Wooddell provided RAB members with an updated concept sketch of the aquatic center, including many of the changes requested previously. Changes included a re-orientation of the competition pool, reconfiguring the lazy river length and layout, and engineering the concession and restrooms area in such a manner to be accessible to aquatic center patrons, swim meet patron and sports field users at the same time.

Meeting adjourned 5:30pm.

Approved By:

Initial Date

Department Head:

CDW \ 10/16/17

City Manager:

DRE \ 11/3/17

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 7, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

October 25, 2017

Date Prepared:

Agenda Title: Planning Commission Meeting Report- October 10, 2017

Zoning Items:

PC-2017- 26 Zoning Map Amendment, to amend the zoning designation of certain properties between S. Poplar Street and S. Campus Ave, along Bern Street and E. Rose Ave from R-2MS to R-3MS, City of Oxford Applicant

This application reflects the Planning Commission's desire to further include this area for higher density since being close to the campus.

After reviewing the application, the Commission voted 5-1-0 to recommend approval of this application.

PC-2017-29, Zoning Code Text Amendment, to amend Oxford Zoning Code Chapter 1159, Definitions, specifically 1159.13(15) Lot Line and Eliminating 1159.20(8) Sorority and Fraternity, City of Oxford, Applicant

This is a zoning code cleanup to eliminate duplicate definitions that are not consistent and to clarify the intent of the Oxford Zoning Code.

After reviewing the application and staff report, the Commission unanimously recommended approval of the proposed zoning text amendment to Council for legislative action.

PC-2017-30 Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, in the Neighborhood of East Chestnut Street and Silvoor Lane, City of Oxford, Applicant

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Silvoor Lane and part of E. Chestnut Street.

A petition to establish a neighborhood conservation overlay district was filed on July 14, 2017 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarded to the Planning Commission on August 21, 2017.

After reviewing the application, staff report and neighbor comments, the Planning Commission unanimously recommended approval of the proposed zoning text amendment to Council for legislative action.

Approved

Department Head:

City Attorney:

City Manager:

Initial

Date

JNC

10/27/17

DRE

11/8/17

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/07/2017

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/31/2017
Date Prepared

Agenda Title: Resolution Approving the Creation a New Fund for the 2018 Operating Budget to Provide for Southpointe Roadway TIF Capital Improvements

Recommendation: Approve

Discussion:

Staff recommends Council approve the creation of a new fund 146 to account for Southpointe Roadway TIF improvements in the 2018 operating budget. This is an accounting method to record all revenues and expenses associated to this project.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 11/1/17
[Signature] 11/3/17

RESOLUTION NO.

A RESOLUTION APPROVING THE CREATION OF A NEW FUND FOR THE 2018 OPERATING BUDGET TO PROVIDE FOR SOUTHPOINTE ROADWAY TAX INCREMENT FINANCING (TIF) CAPITAL IMPROVEMENTS.

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

SECTION 1: The City Council hereby approves and authorizes the Finance Director to create a Capital Improvement Fund #146 Southpointe Roadway TIF Improvement Fund for the sole purpose of the acquisition of property, improvements to acquired or existing property and necessary equipment for the Southpointe Roadway TIF.

SECTION 2: The City Manager and the Finance Director hereby recommend that the City Manager and the Finance Director have oversight over the activities within the Southpointe Roadway TIF Capital Improvement Fund and it be used for Southpointe Roadway TIF.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/07/2017

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount:_____

10/31/2017
Date Prepared

Agenda Title: 2018 ANNUAL BUDGET ORDINANCE

Recommendation:	Approve
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Discussion:

Description of 2018 Budget

The current piece of legislation is a reflection of the information presented to Council at its October 11th work session.

Highlights: 3% COLA for all fulltime employees, 2.5% for Police Sergeants & Lieutenants

14.2% increase Workers Compensation payment for Fire & EMS Fund
6.5% increase Workers Compensation payment for all other Funds

7.0% increase in income tax receipts

2% increase in Water & Sewer rates

An approximate 6.4% decrease in refuse rates

5% increase in General Liability Insurance rates

3 retirements planned in 2018

\$74,567 increase in costs associated with revamped Lane Library building

1 additional patrol officer General Fund

1 part time Zoning Enforcement employee General Fund

3 additional fulltime Firefighter/EMT's Fire & EMS Fund

1 additional Service Worker – ½ Street Fund & ½ Refuse Fund

Career advancement of Service Worker II to Service Worker III Wastewater Fund

Capital Improvement & Equipment Funds Spending \$11,429,263

- Includes \$2,761,813 for Municipal Facilities improvements
- Includes \$195,000 for OATS Trail Improvements
- Includes \$4,650,000 for Aquatic Center improvements
- Includes \$2,200,000 for Southpointe Roadway TIFF improvements

Water Capital Improvement & Equipment Spending \$599,950

Wastewater Capital Improvement & Equipment Spending \$729,200

Approved By:

Department Head:

City Manager:

Initial Date

DR 10/31/17
DR 11/2/17

ORDINANCE NO.

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018.

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

SECTION 1: To provide for the current expenses and expenditures of the City of Oxford during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside and appropriated as follows:

GENERAL FUND 110

SECURITY OF PERSONS & PROPERTY

Personnel Services	4,292,169
Other Services & Charges	<u>967,244</u>
Total Appropriation	5,259,413

PUBLIC HEALTH AND WELFARE

Personnel Services	-
Other Services & Charges	<u>133,064</u>
Total Appropriation	133,064

LEISURE TIME ACTIVITIES

Personnel Services	1,033,974
Other Services & Charges	<u>443,560</u>
Total Appropriation	1,477,534

COMMUNITY ENVIRONMENT

Personnel Services	630,154
Other Services & Charges	<u>409,520</u>
Total Appropriation	1,039,674

GENERAL GOVERNMENT

Personnel Services	1,056,749
Other Services & Charges	<u>1,016,028</u>
Total Appropriation	2,072,777

TRANSFERS TO OTHER FUNDS

Personnel Services	-
Other Services & Charges	<u>1,787,985</u>
Total Appropriation	1,787,985

ADVANCES TO OTHER FUNDS

Personnel Services	-
Other Services & Charges	<u>752,750</u>
Total Appropriation	752,750

TOTAL GENERAL FUND APPROPRIATIONS	12,523,197
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FIRE/EMS FUND 418

Personnel Services	1,755,002
Other Services & Charges	<u>539,386</u>
TOTAL FIRE/EMS FUND APPROPRIATIONS	2,294,388

STREET FUND 122

Personnel Services	740,388
Other Services & Charges	<u>209,047</u>
TOTAL STREET FUND APPROPRIATIONS	949,435

STATE HIGHWAY IMPROVEMENT FUND 123

Other Services & Charges	<u>20,200</u>
TOTAL STATE HIGHWAY IMPROVEMENT FUND APPROPRIATIONS	20,200

PARKING FUND 130

Personnel Services	397,999
Other Services & Charges	99,691
Transfer to Other Funds	<u>301,135</u>
TOTAL PARKING FUND APPROPRIATIONS	798,825

PARKING IMPROVEMENT FUND 142

Other Services & Charges	<u>134,500</u>
TOTAL PARKING IMPROVEMENT FUND APPROPRIATIONS	134,500

CAPITAL IMPROVEMENT FUNDS

COMMUNITY DEVELOPMENT BLOCK GRANT FUND 126

Other Services & Charges	<u>238,000</u>
Total Appropriations	238,000

COMMUNITY DEVELOPMENT BLOCK GRANT LOAN FUND 128

Other Services & Charges	<u>160,000</u>
Total Appropriations	160,000

CAPITAL EQUIPMENT FUND 140

Other Services & Charges	<u>275,450</u>
Total Appropriations	275,450

CAPITAL IMPROVEMENT FUND 141

Other Services & Charges	949,000
Advance to Other Funds	<u>322,750</u>
Total Appropriations	1,271,750

MUNICIPAL FACILITIES CAPITAL IMPROVEMENT FUND 140

Other Services & Charges	<u>2,761,813</u>
Total Appropriations	2,761,813

OAT CAPITAL IMPROVEMENT FUND 144

Other Services & Charges	<u>195,000</u>
Total Appropriations	195,000

AQUATIC CENTER CAPITAL IMPROVEMENT FUND 145	
Other Services & Charges	4,650,000
Total Appropriations	4,650,000
SOUTH POINTE ROADWAY TIFF CAPITAL IMPROVEMENT FUND 146	
Other Services & Charges	2,200,000
Advance to Other Funds	200,000
Total Appropriations	2,400,000
TOTAL CAPITAL IMPROVEMENT FUND APPROPRIATIONS	11,952,013

WATER FUNDS

WATER (OPERATING) FUND 321	
Personal Services	1,409,331
Other Services & Charges	653,286
Transfers to Other Funds	655,105
Total Appropriations	2,717,722
WATER IMPROVEMENT FUND 322	
Other Services & Charges	430,000
Total Appropriations	430,000
WATER CAPACITY FUND – NE 381	
Other Services & Charges	-
Transfers to Other Funds	27,500
Total Appropriations	27,500
WATER CAPACITY FUND – NW 382	
Other Services & Charges	-
Transfers to Other Funds	27,500
Total Appropriations	27,500
WATER CAPACITY FUND – SE 383	
Other Services & Charges	-
Transfers to Other Funds	27,500
Total Appropriations	27,500
WATER CAPACITY FUND – SW 384	
Other Services & Charges	-
Transfers to Other Funds	27,500
Total Appropriations	27,500
WATER CAPITAL EQUIPMENT FUND 320	
Other Services & Charges	169,950
Total Appropriations	169,950
TOTAL WATER FUNDS APPROPRIATIONS	3,427,672

WASTEWATER FUNDS

WASTEWATER (OPERATING) FUND 331

Personal Services	1,610,933
Other Services & Charges	1,322,178
Transfers to Other Funds	<u>404,004</u>
Total Appropriations	3,337,115

WASTEWATER IMPROVEMENT FUND 332

Other Services & Charges	<u>540,000</u>
Total Appropriations	540,000

WASTEWATER CAPACITY FUND – NE 391

Other Services & Charges	-
Transfers to Other Funds	<u>42,500</u>
Total Appropriations	42,500

WASTEWATER CAPACITY FUND – NW 392

Other Services & Charges	-
Transfers to Other Funds	<u>42,500</u>
Total Appropriations	42,500

WASTEWATER CAPACITY FUND – SE 393

Other Services & Charges	-
Transfers to Other Funds	<u>42,500</u>
Total Appropriations	42,500

WASTEWATER CAPACITY FUND – SW 394

Other Services & Charges	-
Transfers to Other Funds	<u>42,500</u>
Total Appropriations	42,500

WASTEWATER CAPITAL EQUIPMENT FUND 330

Other Services & Charges	<u>189,200</u>
Total Appropriations	189,200

TOTAL WASTEWATER FUNDS APPROPRIATIONS

4,236,315

STORM WATER FUND 351

Personal Services	-
Other Services & Charges	<u>40,000</u>

TOTAL STORM WATER FUND APPROPRIATIONS

40,000

RUFUSE FUNDS

REFUSE (OPERATING) FUND 341

Personal Services	212,039
Other Services & Charges	1,441,134
Transfer to Other Funds	<u>24,004</u>
Total Appropriations	1,677,177

LANDFILL POST-CLOSURE INVESTMENT FUND 353	
Other Services & Charges	1,200
Transfer to Other Funds	-
Total Appropriations	1,200
TOTAL REFUSE FUNDS APPROPRIATIONS	1,678,377
 <u>HOTEL & CONVENTION TAX FUND 120</u>	
Other Services & Charges	230,300
Transfer to Other Funds	14,700
TOTAL HOTEL & CONVENTION TAX FUND APPROPRIATIONS	245,000
 <u>LIFE SQUAD GIFT FUND 210</u>	
Other Services & Charges	-
TOTAL LIFE SQUAD GIFT FUND APPROPRIATIONS	-
 <u>AFFORDABLE HOUSING TRUST FUND 212</u>	
Other Services & Charges	-
TOTAL AFFORDABLE HOUSING TRUST FUND APPROPRIATIONS	-
 <u>EMPLOYEE BENEFITS FUND 230</u>	
Other Services & Charges	2,365,792
Advance to Other Funds	5,000
TOTAL EMPLOYEE BENEFITS FUND APPROPRIATIONS	2,370,792
 <u>INTERNAL SERVICE FUND 370</u>	
Other Services & Charges	262,509
TOTAL INTERNAL SERVICE FUND APPROPRIATIONS	262,509
 <u>LAW ENFORCEMENT TRUST FUND 410</u>	
Personnel Services	-
Other Services & Charges	67,500
TOTAL LAW ENFORCEMENT TRUST FUND APPROPRIATIONS	67,500
 <u>ENFORCEMENT & EDUCATION FUND 412</u>	
Personnel Services	-
Other Services & Charges	12,800
TOTAL ENFORCEMENT & EDUCATION FUND APPROPRIATIONS	12,800
 <u>BOARD OF BUILDING STANDARDS FUND 414</u>	
Other Services & Charges	2,850
TOTAL BOARD OF BLD STANDARDS FUND APPROPRIATIONS	2,850
 <u>FEMA FUND 416</u>	
Personnel Services	-
Other Services & Charges	-
Advance to Other Funds	-
TOTAL FEMA FUND APPROPRIATIONS	-

SPECIAL ASSESSMENT FUND 417

Other Services & Charges	<u>100,000</u>
TOTAL SPECIAL ASSESSMENT FUND APPROPRIATIONS	100,000

OVI TASK FORCE FUND 419

Personnel Services	56,975
Other Services & Charges	167,720
Advance to Other Funds	<u>225,000</u>
TOTAL OVI TASK FORCE FUND APPROPRIATIONS	449,695

DEBT SERVICE FUNDS

1999 PARKS IMPROVEMENT BOND FUND 152	
Other Services & Charges	<u>311,763</u>
TOTAL DEBT SERVICE FUND APPROPRIATIONS	311,763

TOTAL 2017 BUDGET APPROPRIATIONS	41,877,831
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SECTION 2: The City Auditor (Finance Director) is here by authorized to draw warrants upon the Treasury from the amounts appropriated in this ordinance whenever claims are made, with the approval of the City Manager, where appropriate, and are legally contracted for in accordance with the law.

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: STAFF

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 7, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

October 25, 2017
Date Prepared:

PC-2017-30 ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (single-Family Low Density Residential) District, on Silvoor Lane and Part of E. Chestnut Street, for a Total of 21 Parcels. **City of Oxford, applicant**

Recommendation by the Planning Commission: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Silvoor Lane and part of E. Chestnut Street.

A petition to establish a neighborhood conservation overlay district was filed on July 14, 2017 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarded this request to the Planning Commission on August 21, 2017

The Planning Commission reviewed the application and heard testimony from the neighbors and went through the decision standards of zoning map amendment as well as the Overlay District. The Commission unanimously recommended the approval of the proposed zoning map amendment to City Council for legislative action.

Approved by:

Department Head:
City Attorney:
City Manager:

JHC 10/27/17
DRE 11/3/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT IN A R-1A (SINGLE FAMILY LOW DENSITY RESIDENTIAL) DISTRICT FOR 21 PARCELS LOCATED ON E. CHESTNUT STREET AND ON SILVOOR LANE, IN THE CITY OF OXFORD, OHIO.

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

SECTION 1: Council finds in accordance with Section 1146.03 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on October 10, 2017 on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 21 parcels located on E. Chestnut Street and on Silvoor Lane, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2: The Oxford Planning Commission, after public hearing and deliberation, recommended granting the Zoning Map Amendment to establish a Neighborhood Conservation Overlay District, and found that the proposed request was in keeping with the intended characteristics of the neighborhood and was an appropriate classification for the properties in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 21 parcels located on E. Chestnut Street and on Silvoor Lane, in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 4: Council hereby grants the Zoning Map Amendment as requested, incorporating the application and documents submitted with the application as a term and condition of the granting of this Zoning Map Amendment and orders that the official zoning map be amended.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

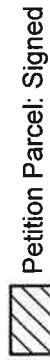


Silvoor Chestnut Expanded Neighborhood Conservation Overlay District Petition Boundaries

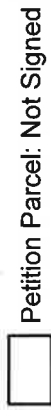
Legend



Petition Area



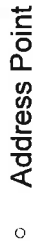
Petition Parcel: Signed



Petition Parcel: Not Signed



Oxford Corporation Limit



Address Point



Parcel



Building Footprint



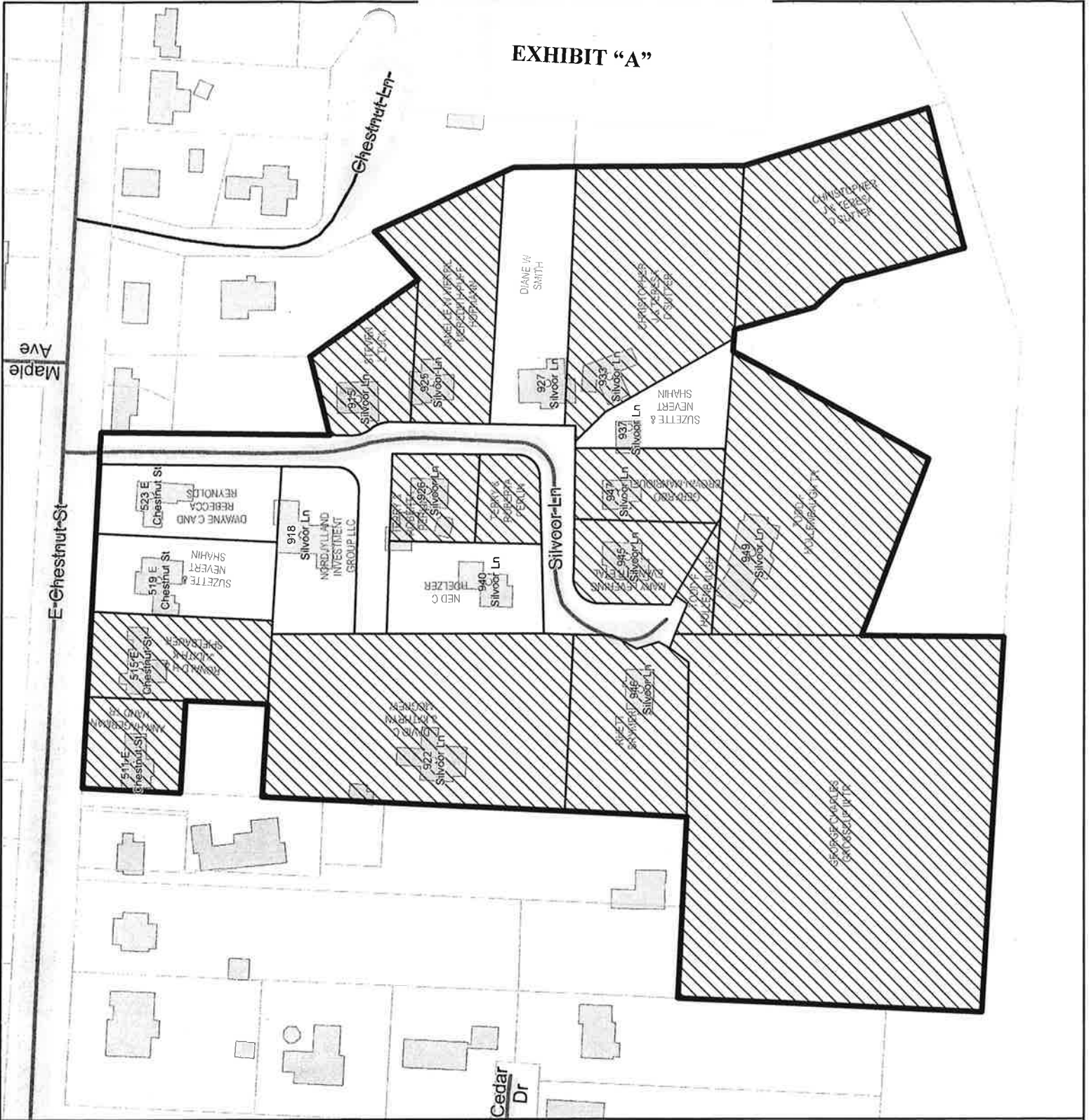
Paved Roadway



1 inch = 150 feet

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.

EXHIBIT "A"



Certification of Action

Oxford Planning Commission

Recommendation to City Council

<u>Report Date</u>	November 7, 2017
<u>Case Number</u>	PC-2017-30
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Code Map Amendment
<u>Summary of Request</u>	To Establish a Neighborhood Conservation Overlay District in an R-1A District, in the Neighborhood Located on Part of E. Chestnut Street and Silvoor Lane
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on October 10, 2017. A Public Hearing notice was published in the Journal News on September 10, 2017. Courtesy notices were mailed to adjacent property owners on September 28, 2017. Multiple signage was posted at the site on October 3, 2017.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending approval.
<u>Commission Findings and Conclusions</u>	The Planning Commission heard from several property owners their support of this overlay request and the Commission agreed with their commitment to preserve their neighborhood. After reviewing the Decision Standards, the Planning Commission voted to forward to City Council.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated September 27, 2017 2. Interoffice Review Transmittal Sheets 3. Surrounding Property Owner Notifications Map 4. Review and Comment Form Received 5. Zoning Map Amendment Application 6. Overlay District Boundaries' Map 7. Resolution 5087 Council Acceptance 8. Petition with Signatures

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-30

Date – October 10, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, in the Neighborhood of East Chestnut Street and Silvoor Lane. City of Oxford, Applicant

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Silvoor Lane and part of E. Chestnut Street.

A petition to establish a neighborhood conservation overlay district was filed on July 14, 2017 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarded this request to the Planning Commission on August 21, 2017.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan, residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. Even the Comprehensive Plan does not implicitly point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

- H2.1 Update development regulations to allow for a variety of housing types in new developments.*
- H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.*

Objective: Expand homeownership opportunities

- H5.1 Encourage local employers to provide homeownership incentives.*
- H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.*
- H5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.*
- H5.4 Develop a revolving loan fund.*
- H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.*
- H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.*

AGENCY REVIEWS

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

Police:	Received without comments
Fire:	Received without comments
Engineering:	Received without comments
Econ. Dev.	Received without comments

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from being turned into rental properties and to maintain the traditional neighborhood owner-occupied character. The Planning Commission went through extensive discussion about this overlay district in 2012. It was designed to provide mechanisms to the neighborhoods to initiate a grass roots movement to get all the neighbors together and to petition City Council for the consideration of placing more restrictions on the underlying district.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for the historic area. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

Many neighborhoods have gone through this process since the adoption of this enabling legislation in 2013. As of today, there have been 14 different neighborhoods throughout the City that have obtained the overlay district designation. These neighborhoods are typically located outside of the Mile Square.

A petition was filed by a group of neighbors on East Chestnut Street and Silvoor Lane for a total of 21 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on July 14, 2017 with the Clerk of the Oxford City Council. The petition showed that the signatures obtained represented 15 parcels. The signatures supporting this petition exceed the two-third requirements of the parcels of this petitioned area. The signatures represent 71% of the parcels within the boundary. A map of the proposed district is attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on August 15, 2017 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

There are specific decision standards that the Planning Commission shall reference and the decision standards are also attached for reference. The Planning Commission also shall consider the purpose and objectives of such overlay district are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by excessive renters and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

The petition met the boundary requirements as stipulated in the Chapter 1146.03(h). The petition also met the minimum two-thirds requirements of owner signatures within the proposed boundary. Additionally, the dates of those signatures were also within six months prior to the time the petition was filed with the City Clerk.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning Commission. This process is far lengthier than normal map amendment process and

has additional decision standard thresholds to meet. It is a process that the neighborhood had taken seriously and the neighbors have demonstrated their commitment to preserve their neighborhood and to maintain their neighborhood characters by going through an extra step to initiate.

RECOMMENDATION

Staff recommends that the Planning Commission approval of this amendment and forward this request to City Council for legislative action.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: September 27, 2017

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

(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 to 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.

Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

1146.03(2) b Decision Standards for Considering Overlay District:

1. The proposed Overlay District meets the boundary criteria.
2. The proposed Overlay District will preserve and enhance the neighborhood character.
3. The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood.
4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 9/11/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2017-30, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Silvoor Lane and part of E. Chestnut Street, for a total of 21 parcels, **City of Oxford, Applicant**

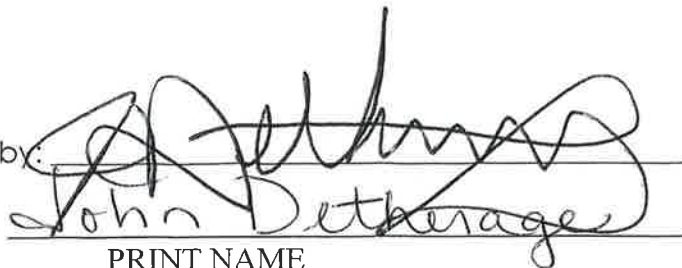
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **9/26/2017** 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 Detharages
PRINT NAME

Date:

9-14-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 9/11/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2017-30, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Silvoor Lane and part of E. Chestnut Street, for a total of 21 parcels, **City of Oxford, Applicant**

_____X_____ Review _____ Revisions _____ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **9/26/2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

RECEIVED
SEP 12 2017
City of Oxford
Service Department

Drawings reviewed by: _____

H. Popescu
VICTOR POPESCU

PRINT NAME

Date: 9-12-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 9/11/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2017-30, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Silvoor Lane and part of E. Chestnut Street, for a total of 21 parcels, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **9/26/2017** 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: 9/18/17

JOHN A. JONES
PRINT NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 9/11/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-2017-30, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Silvoor Lane and part of E. Chestnut Street, for a total of 21 parcels, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **9/26/2017** 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: 9-12-2017

G. Ann Kyrle
PRINT NAME



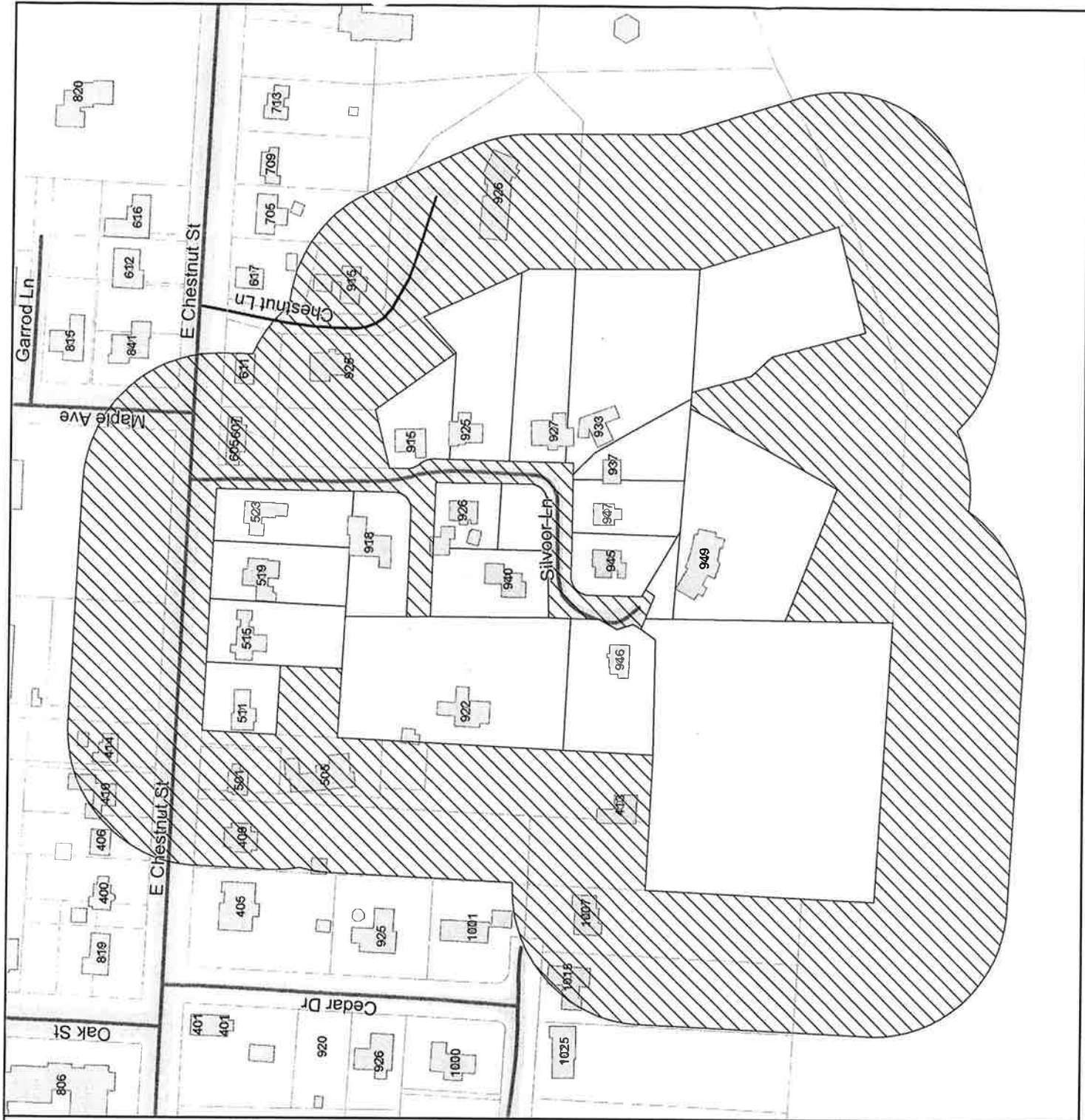
PC-2017-30 Surrounding Property Owners Notifications Map

Legend

- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- Building Footprint
- Paved Roadway



1 inch = 200 feet



Prepared on Monday, September 25, 2017

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.



Received at 10/10/2017

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

CASE NO.: PC-2017-30

DATE OF HEARING: October 10, 2017

PC-2017-30, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Silvoor Lane and part of E. Chestnut Street, for a total of 21 parcels, **City of Oxford, Applicant**

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, 101 East High Street, Oxford, OH 45056.

Name:

(Print)

Address:

MARY L. EVANS

945 Silvoor Lane, Oxford, OH 45056

Telephone: Home:

Work:

COMMENT: I strongly support establishing a Neighborhood Conservation Overlay on Silvoor Lane. Having lived here since 1983, I have knowledge of what the family owned neighborhood was like, now it is not the same. To be frank, the rentals have been not well maintained - While I wouldn't go so far as to say they are a scourge, I must say they do not enhance the desirability of Silvoor Lane. Homeowners take pride in their home; landlords don't to the same extent.
I urge the support of this petition!

Mary L. Evans
Signature

10/10/2017
Date



Internal Use Only:	
Case No.	PC-2017-30
Date Filed	8/21/17

Zoning Map Amendment Application

Applicant Information

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

Name *	Jung-Han CHen
Mailing Address *	101 E. High Street
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5237
Email Address	jhchen@cityofoxford.org

Location and Lot Information

Location *	E. Chestnut Street and Silvoor Lane
General Description of Proposed Amendment *	Create a Neighborhood Conservation Overlay District
Current Zoning *	R1A
Proposed Zone(s) *	Overlay District

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 *



8/17/2017

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, 101 East High Street, 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/>

file

RESOLUTION NO. 5087

A RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR THAT AREA OF E. CHESTNUT STREET AND SILVOOR LANE AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

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

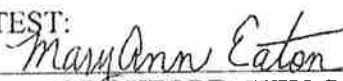
SECTION 2: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and refers the Petition to Establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to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

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


MAYOR

ADOPTED: August 15, 2017

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

TO: SILVOOR LANE/EAST CHESTNUT ST. PROPERTY OWNERS
RE: PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DATE: LATE APRIL, 2017

PROPOSED: That Silvoor Lane/East Chestnut St. homeowners apply for a change of zoning to apply a neighborhood conservation overlay district. **This proposed zoning limits the number of persons in a rental residence to no more than two unrelated individuals.** If the zoning is approved, homeowners may rent property but **are limited to two unrelated persons who may live in the house.** This would still allow ownership or rental of the property to a large family, a couple, one person, or two unrelated persons.

The purpose of the Conservation Neighborhood Overlay Zoning:

The purposes outlines in the ordinance are:

1. To maintain an attractive community appearance and provide a desirable living environment for residents by preserving the owner-occupies character of the neighborhood.
2. To preserve the integrity of the Silvoor Biological Sanctuary, which is comprised entirely of properties in this proposed overlay and Miami University properties bordering this proposed overlay.
3. To protect the privacy of residents and to minimize noise congestion and nuisance impacts by regulating the types of rental properties occupied by unrelated persons.
4. To prevent excessive traffic and parking in the neighborhoods.
5. To ensure the safety of children living on the street (currently, there are 12 children living in the proposed overlay properties).

Current zoning in the proposed overlay zone (21 lots): The current zoning is as a "Single family residence" defined as no more than FOUR unrelated people may live in the dwelling. Three of these 21 lots are currently permitted as a rental property which allows four unrelated people to live in the dwelling. These properties will not be impacted by this petition unless the rental permit expires.

Process for a neighborhood to achieve expansion of the overlay zoning:

1. In order for the expansion of the current overlay district, we must have **2/3 of the property owners sign a petition within 60 days** (14 of 21 lots).
2. The petition is sent to Oxford City Council that refers it to the Planning Commission for its recommendation.
3. If the recommendation is approved it is returned to the City Council for second reading and approval. The process takes about three months.

Rhett and Amanda Brymer and/or Chris and Teresa Sutter, who own properties in the proposed overlay, will be contacting you soon with the opportunity to sign the petition. The signer of the petition must be the homeowner (if jointly owned, only one needs to sign). You may contact any of the overlay petitioners for further information.

Rhett and Amanda Brymer
946 Silvoor Lane
850-251-0314 (Rhett)
281-910-3010 (Amanda)
rhett.brymer@gmail.com
abentley.brymer@gmail.com

Chris and Teresa Sutter
933 Silvoor Lane
513-461-2563 (Chris)
513-461-4870 (Teresa)
chris.j.sutter@gmail.com
teresa.d.sutter@gmail.com

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

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

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

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY:

Proposed Cedar Expansion Overlay

NORTH BOUNDARY:

E. Chestnut Street

WEST BOUNDARY:

Western property lines of homes with Silvoor Lane addresses

SOUTH BOUNDARY:

Southern property lines of homes with Silvoor Lane addresses

CIRCULATOR'S FULL NAME:

Rhett Brymer

CIRCULATOR'S ADDRESS:

946 Silvoor Lane

CIRCULATOR'S SIGNATURE:



DATE SUBMITTED:

7/14/17

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)



E Chestnut St

E Chestnut St

E Chestnut St

Chestnut Ln

Silver Ln

Cedar Dr

511

515

519

523

918

922

926

940

915

925

927

933

937

945

947

946

949

Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Brymer, 946 Silvoor Ln

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	511 E CHESTNUT ST/ H4100113000039	ANN HAGERMAN HAND TR		
	515 E CHESTNUT ST/ H4100113000041	RONALD H & JUDITH K SPIELBAUER		
	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR		
	915 SILVOOR LN/ H4100113000020	MARK B FALKE		
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		
	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW		
	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN		
9-20-17 4/20/17 4-20-17 7/20/17	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN	Terry Perlin Roberta Perlin	
	926 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN	Roberta Perlin	

Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Bryner, 946 Silvoor Ln

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	511 E CHESTNUT ST/ H4100113000039	ANN HAGERMAN HAND TR		
	515 E CHESTNUT ST/ H4100113000041	RONALD H & JUDITH K SPIELBAUER		
	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR		sent mail on 4/24 left Fred V Mon 4/24 call Fred 3x's 4/24
	915 SILVOOR LN/ H4100113000020	MARK B FALKE		sent mail on 4/24 sent email on 4/24 sent email to new owners via broker on 4/24
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		Dropped off paper - work on 4/24 to arrive. Spoke to 4/24
8/21/06	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW	David McGrew	
4/25/17	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN	Meredith Puff Hofmann	
	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN		
	926 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN		

Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Brymer, 946 Silvoor Ln

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	927 SILVOOR LN/ H4100113000018	DIANE W SMITH		
4/23/17	933 SILVOOR LN/ H4100113000017	CHRISTOPHER J & TERESA D SUTTER	CS Sutter	
4/23/17	SILVOOR LN/ H4100113000013	CHRISTOPHER J & TERESA D SUTTER	CS Sutter	
	937 SILVOOR LN/ H4000113000047	SUZETTE & NEVERT SHAHIN		
	940 SILVOOR LN/ H4100113000030	NED C HOELZER		Dropped off on way to town @ pop office 4/24. Sent Ned materials 4/24.
4/21/17	945 SILVOOR LN/ H4100113000045	MARY LEVERING EVANS TR ETAL	Mary Evans	Spoke w/ Heather on 4/24 @ Paul's place
4/21/17	946 SILVOOR LN/ H4100113000044	RHETT BRYMER	Rhett Brymer	
22 APR 17	947 SILVOOR LN/ H4100113000016	GERARDO BROWN-MANRIQUE	Gerardo Brown	
23 APR 17	949 SILVOOR LN/ H4100113000015	TODD F HOLLENBAUGH	Todd Hollenbaugh	
23 APR 17	949 SILVOOR LN/ H4100113000014	TODD F HOLLENBAUGH TR	Todd Hollenbaugh	

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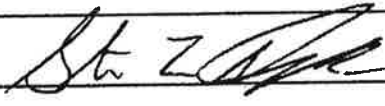
Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Brymer, 946 Silvoor Ln

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

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

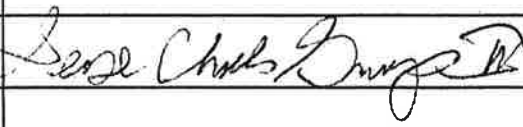
Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
	511 E CHESTNUT ST/ H4100113000039	ANN HAGERMAN HAND TR		
	515 E CHESTNUT ST/ H4100113000041	RONALD H & JUDITH K SPIELBAUER		
	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR		
12 7/11/2017	915 SILVOOR LN/ H4100113000020	MARK B FALKE Steven Tuck		closed on the house 5/19/17
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		
	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW		
	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN		
	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN		
	926 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN		

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	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
3	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR		
	915 SILVOOR LN/ H4100113000020	MARK B FALKE		
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		
	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW		
	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN		
	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN		
	926 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN		

Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Brymer, 948 Silvoor Ln

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Date	Address	Name(s)	Signature	Notes
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	515 E CHESTNUT ST/ H4100113000041	RONALD H & JUDITH K SPIELBAUER		
	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR	<i>Finley B. G. Grosscup</i>	CO- OWNER
	916 SILVOOR LN/ H4100113000020	MARK B FALKE		
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		
	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW		
	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN		
	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN		
	928 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN		

13

Petition for Chestnut Silvoor Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Rhett Brymer, 946 Silvoor Ln

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
4/23/2017	511 E CHESTNUT ST/ H4100113000039	ANN HAGERMAN HAND TR	Ann Hagerman	
4/23/2017	515 E CHESTNUT ST/ H4100113000041	RONALD H & JUDITH K SPIELBAUER	Judith Spielbauer	
	519 E CHESTNUT ST/ H4100113000042	SUZETTE & NEVERT SHAHIN		
	523 E CHESTNUT ST/ H4000113000026	DWAYNE C AND REBECCA REYNOLDS		
	SILVOOR LN/ H4100113000032	GEORGE CHARLES GROSSCUP III TR		
	915 SILVOOR LN/ H4100113000020	MARK B FALKE		
	918 SILVOOR LN/ H4100113000027	NORDJYLLAND INVESTMENT GROUP LLC		
	922 SILVOOR LN/ H4000113000031	DAVID C & KATHRYN MCGREW		
	925 SILVOOR LN/ H4100113000019	JANELLE W WERBIL MEREDITH PUFF HOFMANN		
	926 SILVOOR LN/ H4000113000029	TERRY & ROBERTA PERLIN		
	926 SILVOOR LN/ H4000113000028	TERRY & ROBERTA PERLIN		

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/07/2017

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/31/2017
Date Prepared

Agenda Title: 2018 ANNUAL TRANSFER ORDINANCE

Recommendation: Approve

Discussion:

Description of Budgeted Transfers for the 2018 Budget

Transfer from GENERAL FUND 110	
Transfer to STREET FUND 122	582,045.00
Annual General Fund Financial Support (quarterly)	
Transfer from GENERAL FUND 110	
Transfer to CAPITAL EQUIPMENT FUND 140	294,398.00
Annual General Fund Financial Support (quarterly)	
Transfer from GENERAL FUND 110	
Transfer to CAPITAL IMPROVEMENT FUND 141	341,629.00
Annual General Fund Financial Support (quarterly)	
Transfer from GENERAL FUND 110	
Transfer to OXFORD AREA TRAIL FUND 144	170,000.00
General Fund Financial Support (1 st quarter)	
Transfer from GENERAL FUND 110	
Transfer to PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152	311,763.00
Annual General Fund Debt Service Payment (bi-annual to match debt payment)	
Transfer from GENERAL FUND 110	
Transfer to STORM WATER FUND 351	40,000.00

General Fund Financial Support (1st quarter)

Transfer from GENERAL FUND 110	
Transfer to SPECIAL ASSESSMENT FUND 417	30,000.00

General Fund Financial Support (1st quarter)

Transfer from GENERAL FUND 110	
Transfer to FIRE/EMS FUND 418	18,150.00

Annual General Fund Financial Support (quarterly)

Transfer from PARKING FUND 130	
Transfer to GENERAL FUND 110	29,241.00

Annual Parking Fund Payment for Service department support (quarterly)

Transfer from PARKING FUND 130	
Transfer to STREET FUND 122	27,394.00

Annual Parking Fund Financial Support for work performed (quarterly)

Transfer from PARKING FUND 130	
Transfer to CAPITAL IMPROVEMENT FUND 141	110,000.00

Annual Parking Fund Loan Repayment (quarterly)

Transfer from PARKING FUND 130	
Transfer to PARKING IMPROVEMENT FUND 142	134,500.00

Annual Parking Fund Financial Support (1st quarter)

Transfer from WATER FUND 321	
Transfer to GENERAL FUND 110	34,004.00

Annual Water Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)

Transfer from WATER FUND 321	
Transfer to WATER CAPITAL EQUIPMENT FUND 320	301,101.00

Annual Water Fund Financial Support (quarterly)

Transfer from WATER FUND 321	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	320,000.00

Annual Water Fund Financial Support (1st quarter)

Transfer from WATER CAPACITY BENEFIT SE FUND 381	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	27,500.00

Water CBF – NE Fund Financial Support – Water Main Upgrade High St (1st quarter)

Transfer from WATER CAPACITY BENEFIT SE FUND 382	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	27,500.00

Water CBF – NW Fund Financial Support – Water Main Upgrade High St (1st quarter)

Transfer from WATER CAPACITY BENEFIT SE FUND 383	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	27,500.00
Water CBF – SE Fund Financial Support – Water Main Upgrade High St (1 st quarter)	
Transfer from WATER CAPACITY BENEFIT SE FUND 384	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	27,500.00
Water CBF – SW Fund Financial Support – Water Main Upgrade High St (1 st quarter)	
Transfer from WASTEWATER FUND 331	
Transfer to GENERAL FUND 110	34,004.00
Annual Wastewater Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)	
Transfer from WASTEWATER FUND 331	
Transfer to WASTEWATER CAPITAL EQUIPMENT FUND 330	170,000.00
Annual Wastewater Fund Financial Support (quarterly)	
Transfer from WASTEWATER FUND 331	
Transfer to WASTEWATER CAPITAL IMPROVEMENT FUND 332	200,000.00
Annual Wastewater Fund Financial Support (1 st quarter)	
Transfer from WASTEWATER CAPACITY BENEFIT SE FUND 391	
Transfer to WASTEWATER CAPITAL IMPROVEMENT FUND 332	42,500.00
Wastewater CBF – NE Fund Financial Support – Upsize Sanitary Sewer Southpointe (1 st quarter)	
Transfer from WASTEWATER CAPACITY BENEFIT SE FUND 392	
Transfer to WASTEWATER CAPITAL IMPROVEMENT FUND 332	42,500.00
Wastewater CBF – NW Fund Financial Support – Upsize Sanitary Sewer Southpointe (1 st quarter)	
Transfer from WASTEWATER CAPACITY BENEFIT SE FUND 393	
Transfer to WASTEWATER CAPITAL IMPROVEMENT FUND 332	42,500.00
Wastewater CBF – SE Fund Financial Support – Upsize Sanitary Sewer Southpointe (1 st quarter)	
Transfer from WASTEWATER CAPACITY BENEFIT SE FUND 394	
Transfer to WASTEWATER CAPITAL IMPROVEMENT FUND 332	42,500.00
Wastewater CBF – SW Fund Financial Support – Upsize Sanitary Sewer Southpointe (1 st quarter)	
Transfer from REFUSE FUND 341	
Transfer to GENERAL FUND 110	24,004.00
Annual Refuse Fund Financial Support – Muni-Building Expenses (quarterly)	
Transfer from HOTEL TAX FUND 120	
Transfer to GENERAL FUND 110	14,700.00
Annual Hotel Tax Fund Financial Support (monthly)	

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 10/31/17
[Signature] 11/3/17

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED TRANSFERS FOR THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018.

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

SECTION 1: The following transfers are to be executed for the City of Oxford during the fiscal year ending December 31, 2018, as follows:

Transfer from:

General Fund 110	582,045.00
General Fund 110	294,398.00
General Fund 110	341,629.00
General Fund 110	170,000.00
General Fund 110	311,763.00
General Fund 110	40,000.00
General Fund 110	30,000.00
General Fund 110	18,150.00
Parking Fund 130	29,241.00
Parking Fund 130	27,394.00
Parking Fund 130	110,000.00
Parking Fund 130	134,500.00
Water Fund 321	34,004.00
Water Fund 321	301,101.00
Water Fund 321	320,000.00
Water Capacity Benefit – NE Quadrant Fund 381	27,500.00
Water Capacity Benefit – NW Quadrant Fund 382	27,500.00
Water Capacity Benefit – SE Quadrant Fund 383	27,500.00
Water Capacity Benefit – SW Quadrant Fund 384	27,500.00
Wastewater Fund 331	34,004.00
Wastewater Fund 331	170,000.00
Wastewater Fund 331	200,000.00
Wastewater Capacity Benefit – NE Quadrant Fund 391	42,500.00
Wastewater Capacity Benefit – NW Quadrant Fund 392	42,500.00
Wastewater Capacity Benefit – SE Quadrant Fund 393	42,500.00
Wastewater Capacity Benefit – SW Quadrant Fund 394	42,500.00
Refuse Fund 341	24,004.00
Hotel Tax Fund 120	14,700.00

Transfer to:

Street Fund 122	582,045.00
Capital Equipment Fund 140	294,398.00
Capital Improvement Fund 141	341,629.00
Oxford Area Trail Capital Improvement Fund 144	170,000.00
Parks Improvements Bond Debt Service Fund 152	311,763.00
Storm Water Fund 351	40,000.00
Special Assessment Fund 417	30,000.00

Fire/EMS Fund 418	18,150.00
General Fund 110	29,241.00
Street Fund 122	27,394.00
Capital Improvement Fund 141	110,000.00
Parking Improvement Fund 142	134,500.00
General Fund 110	34,004.00
Water Capital Equipment Fund 320	301,101.00
Water Capital Improvement Fund 322	320,000.00
Water Capital Improvement Fund 322	27,500.00
Water Capital Improvement Fund 322	27,500.00
Water Capital Improvement Fund 322	27,500.00
Water Capital Improvement Fund 322	27,500.00
General Fund 110	34,004.00
Wastewater Capital Equipment Fund 330	170,000.00
Wastewater Improvement Fund 332	200,000.00
Wastewater Improvement Fund 332	42,500.00
Wastewater Improvement Fund 332	42,500.00
Wastewater Improvement Fund 332	42,500.00
Wastewater Improvement Fund 332	42,500.00
General Fund 110	24,004.00
General Fund 110	14,700.00

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: STAFF

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/07/2017

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

11/1/2017
Date Prepared

Agenda Title: A Resolution To Authorize The City Manager To Join a Coalition Of Municipalities Retaining Special Counsel For Purposes of Initiating Litigation to Challenge The Constitutionality Of Amendments to Chapter 718 Of The Ohio Revised Code Relating To Municipal Income Tax

Recommendation: Approve

Discussion:

Staff recommends Council approve of this ordinance. On November 3, 2015 the City of Oxford updated its income tax ordinance to conform to HB 5. This was to make Municipal Income Tax collections uniform across the State. HB 49 the biennial budget of the State of Ohio added provisions for the centralized collection of net profit taxes to be collected by the Ohio Department of Taxation at the discretion of the business owner. If a municipality does not adopt these provisions by January of 2018, they risk losing its authority to collect any income taxes at all.

Two areas of concern are this is in violation of Home Rule and single subject rule in Section 15(D), Article II of the Ohio Constitution "No bill shall contain more than one subject, which shall be expressed in its title". I have included in exhibit "A" documentation going into greater detail on these two points and others.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 11/2/17
[Signature] 11/2/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNSEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX.

WHEREAS, the City of Oxford recognizes, as a home rule power of local self-government, that municipal income tax administration and collection is vital to the health, safety and welfare of the municipality; and

WHEREAS, the City of Oxford relies on the revenue from effective municipal income tax administration and collection to provide the services that maintain the health, safety and welfare of the municipality; and

WHEREAS, the Ohio General Assembly has attempted to assert control over the administration and collection of municipal income taxes by claiming that a municipality has no authority to impose an income tax unless it adopts a code in strict compliance with R.C. Chapter 718; and

WHEREAS, the established law of Ohio is clear that any such preemption of municipal income tax codes by the State of Ohio violates the Ohio Constitution and home rule provisions that allow a municipal corporation the right to administer and enforce its own municipal income tax; and

WHEREAS, more specifically, the State of Ohio has enacted HB 5 in 2014 comprehensively rewriting the entire municipal income tax law and HB 49 in 2017 authorizing centralized collection by the State of Ohio of municipalities' net profits taxes; and

WHEREAS, the City of Oxford desires to assert its home rule authority to control the administration and collection of the municipal income tax, in order to provide for the health, safety and welfare of the municipality.

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

Section I: The City Manager is authorized to join a coalition of municipalities being formed for the purpose of initiating litigation to challenge the constitutionality of amendments to Chapter 718 of the Ohio Revised Code contained in H.B. 5 and H.B. 49, and retain the law firm of Frost Brown Todd LLC as special counsel for the coalition of municipalities.

Section II: 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

Exhibit "A"

Joe Newlin

From: Ohio Association of Public Treasurers <contact@ohioapt.org>
Sent: Thursday, October 26, 2017 9:48 PM
To: Joe Newlin
Subject: OAPT Supports the Challenge of Centralized Collection of Income Taxes

[View this email in your browser](#)



**URGING YOUR GOVERNING BOARD TO ADOPT AN ORDINANCE TO
AUTHORIZE YOUR CITY OR VILLAGE TO JOIN A COALITION OF
MUNICIPALITIES/VILLAGES IN RETAINING SPECIAL COUNSEL FOR
PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE
CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO
REVISED CODE RELATING TO MUNICIPAL INCOME TAX**

The Ohio Association of Public Treasurers (OAPT) is dedicated to serving and educating public finance officers throughout Ohio. Although we are fundamentally an educational organization, the OAPT voted at its Annual Business Meeting on October 5, 2017, to formally express its resolute opposition to recent measures taken by the Ohio General Assembly which result in the further loss of revenue for Ohio cities, which infringe upon municipal home rule, and which diminish their ability to adequately fund their safety forces and other vital local services.

To that end, the Ohio Association of Public Treasurers would like to go on record with your Community, in support of Ohio's municipal coalition which is challenging the constitutionality of recent amendments to Chapter 718, through litigation being prepared by attorneys at Frost, Brown, Todd, LLC.

Further, the Ohio Association of Public Treasurers urges your Community to join the more than 115 cities and villages which have signed on, to date. Please find on our website: <http://www.ohioapt.org/new-current-articles/> a letter to interested coalition members from Frost, Brown, Todd, LLC, a Frost, Brown, Todd memorandum outlining the potential constitutional challenges, a model Ordinance in case you wish to join, and the potential cost sharing proposal.

Thank you for your consideration.



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OAPT

Our mailing address is:

Ohio Association of Public Treasurers
2113 Oaklawn Dr
Parma, OH 44134

[Add us to your address book](#)

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You can [update your preferences](#) or [unsubscribe from this list](#).





Eugene L Hollins
Member
614.559.7243 (t)
614.464.1737 (f)
ghollins@fbtlaw.com

September 19, 2017

Interested Municipal Coalition Members

Re: Municipal Coalition to Challenge Centralized Collection and Other Provisions of
Ohio Revised Code Chapter 718 Regarding Municipal Income Tax

Dear Mayors, Councilmembers,
and Other Municipal Representatives:

Once again, municipalities in Ohio are faced with an impending deadline to make state-mandated changes to their municipal income tax code. H.B. 49 (the biennial budget bill) contained numerous additional provisions relating to centralized collection of municipal net profits taxes by the Ohio Department of Taxation. According to the bill, if a municipality does not adopt these new provisions by January 2018, that city or village risks losing its authority to collect any income taxes at all.

While municipalities adopted new income tax ordinances in 2015 rather than file litigation to challenge the General Assembly's authority to dictate a uniform municipal income tax code, most if not all ordinances were careful to reserve the right to argue in the future that home rule prohibits the state preempting local income tax ordinances or threatening to invalidate our income tax authority. Given the latest foray by the legislature into our taxing authority, a number of municipalities have decided that we have no option but to challenge the constitutionality of the recent amendments to Chapter 718.

I am enclosing a memorandum regarding Potential Constitutional Challenges to House Bill 49 for your information and consideration. I am also enclosing a draft ordinance in the event that your municipality desires to join the effort, together with a potential cost sharing proposal. Please do not hesitate to contact me if you have any questions or if I can provide you with any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eugene L. Hollins".

Eugene L Hollins

Enclosures

SCHEDULE OF COST SHARING FOR HB49 LITIGATION

Recent litigation by a coalition of municipalities with regard to small cells and public right of way (HB 331) has provided a potential cost sharing template for use by municipalities interested in challenging the recent municipal income tax code amendments. This template is based on population of cities and villages, and is set forth in the table below.

Population		Contribution
Village	Under 5,000	\$1,000
5,000	10,000	\$2,000
10,000	25,000	\$4,000
25,000	50,000	\$6,000
50,000	75,000	\$8,000
Over 75,000		\$10,000

*Please note that a municipality can choose to either (1) make a contribution without joining the litigation as a named plaintiff, or (2) become a party to the action. To become a party, it will be necessary for FBT to send the municipality an engagement letter and run a conflict check. Certainly, this process is not unduly burdensome and could be completed within the timeframe necessary to include such municipality on the pleadings. For those municipalities desiring to simply make a contribution to the coalition, we will be establishing a municipality to be the holder of deposited funds.

If the litigation successfully concludes with funds still remaining, refunds of the retainer amounts will be made on a pro rata basis.

Thank you for your consideration and please do not hesitate to contact me with any questions.

MEMORANDUM

To: Interested Municipal Coalition Members

From: Gene Hollins and FBT Government Services Practice Group

Date: October 18, 2017

Re: Potential Constitutional Challenges to House Bill 49

I. Background

House Bill 49 alters the net profit tax by facilitating the centralized filing and administration of the net profit portion of the municipal income tax paid from a business or profession conducted both within and without the boundaries of a municipal corporation. Taxpayers, other than individuals, may now “opt in” and file their net profit municipal income tax returns solely through the State of Ohio Department of Taxation under R.C. 718.80(A).

House Bill 49 also eliminated the “nexus to nowhere” sales provision which established a taxable situs in a municipal corporation if the “property [wa]s shipped from a place within the municipal corporation to purchasers outside the municipal corporation, provided the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.”

Several Ohio municipalities are considering the formation of a coalition to file a mandamus action in the Ohio Supreme Court, or an injunctive and/or declaratory judgment action in a Court of Common Pleas, against the municipal income tax provisions as set forth in HB 49, as well as the original legislation comprehensively rewriting the municipal income tax statute, HB 5 (enacted in 2014).

II. Potential Challenges

A. Violation of the Home Rule Amendment

- Municipal power over matters of local self-government is derived from the Constitution. *Gesler v. Worthington Income Tax Bd. of Appeals*, 138 Ohio St.3d 76, 2013-Ohio-4986, ¶17. The Home Rule Amendment to the Ohio Constitution, Article XVII, Section 3 provides that “Municipalities shall have authority to exercise all powers of local self-government * * *.”

- With regard to taxing power, “[i]t is well established that ‘[t]he municipal taxing power is one of the “powers of local self-government” expressly delegated by the people of the state to the people of municipalities,” *Id.* at ¶18, citing *Cincinnati Bell Tel. Co. v. Cincinnati*, 81 Ohio St.3d 599, 605, 693 N.E.2d 212 (1998), and as such is not tested by the well-known home rule “conflict analysis” that is applicable when a municipality exercises its police power.
- Rather, any General Assembly restrictions on local income tax authority must be based on the specific constitutional authority granted the state in two other sections of the Ohio Constitution: Article XIII, Section 6 provides that the General Assembly “shall provide for the organization of cities, and incorporated villages, by general laws, and restrict their power of taxation * * so as to prevent the abuse of such power.” Second, under Article XVIII, Section 13, “[l]aws may be passed to limit the power of municipalities to levy taxes and incur debts for local purposes * * *.” *Panther II Transp., Inc. v. Seville Bd. of Income Tax Rev.*, 138 Ohio St.3d 495, 497, 2014-Ohio-1011, ¶ 11 (2014).
- The Ohio Supreme Court has consistently held that “[t]he taxing authority of a municipality may be preempted or otherwise prohibited . . . by an express act of the General Assembly.” *Cincinnati Bell*, 81 Ohio St.3d at 605 (syllabus). The Ohio Supreme Court has interpreted the requirement of “an express act of restriction” to mean only that the state “does not preempt local taxes merely by enacting a similar tax of its own.” *Panther II Transp., Inc.*, 138 Ohio St.3d at 500. “[M]unicipal governments have a plenary power to tax, but the General Assembly has authority to impose specific limits on that power.” *Panther II*, 138 Ohio St.3d at ¶ 11 (citing *Cincinnati Bell* at 602; *Gesler*, 138 Ohio St.3d 76 at ¶ 17, 21).
- Telling statement in uncodified Section 6 of HB 5: “*In order to ensure a fair, stable, and efficient system of local taxation, and to prevent any abuse of power by municipal corporations, the General Assembly hereby exercises its authority under those Articles to restrict the taxing powers of municipal corporations by requiring that any income tax or withholding tax levied by a municipal corporation must be levied in accordance with this act and any provisions of Chapter 718. of the Revised Code that remain unchanged by this act.*”
- What if the General Assembly itself chose not to impose a tax (as with income taxation of corporate entities) and therefore did not justify its preemption on a concern about “double taxation” by municipalities? What if the General Assembly attempted instead to simply legislate a rigid template for the exercise by a municipality of its powers of local self-government?

- General Assembly reached beyond its authority to limit or restrict the municipal taxing authority by dictating a code to the municipalities and by authorizing centralized collection of corporate net profits tax.

B. Other Potential Challenges

- Single Subject Rule - Section 15(D), Article II of the Ohio Constitution provides: "No bill shall contain more than one subject, which shall be clearly expressed in its title." Dublin v. State involved a challenge to a rider in the biennial appropriation bill relating to municipal control over public utility use of the right of way. The Court in Dublin stated: "[T]he very fact that such a budgetary need justifies inclusion of many diverse appropriations in an appropriations bill increases the need to exercise caution to avoid violating the single-subject rule by adding still more diverse items to the bill that are not so necessarily connected to creating a budget. With so many diverse items already included in the bill, it becomes increasingly incredible that non-appropriation items can be added to the bill without violating the single-subject rule."
- Equal Protection/Uniform Application of Tax - *Youngstown Sheet & Tube Co. v. City of Youngstown*, 91 Ohio App. 431, 108 N.E.2d 571 (Mahoning County 1951), found that the Youngstown income tax was "a denial of equal protection because the tax was imposed on individuals at one rate and on corporations at a substantially higher rate." Under HB 49, taxpayers may now "opt out" complying with the net profits provisions of Chapter 718 administered by the municipal corporation and "opt in" to new Sections 718.80 through 718.95 whereby the state tax commissioner is the sole administrator of each municipal income tax for which the taxpayer is liable. Applying different tax codes to similarly situated taxpayers in a municipality could be challenged, on its face, as violating equal protection.
- Lack of statutory authority – Oddly, the state has no authority to administer the new centralized collection of net profits tax unless it is granted such authority by each and every municipality. Uncodified Section 803.100(B) of HB 49 provides: "In accordance with division (A) of section 718.04 of the Revised Code, each municipal corporation shall adopt, by ordinance or resolution, the provisions of sections 718.80 [through] 718.95 of the Revised Code on or before January 31, 2018. Such resolution or ordinance shall specify that the enactment of those provisions applies to taxable years beginning on or after January 1, 2018." The State admits that it has no authority, but forces each municipality to grant it the authority or risk losing its authority to collect income taxes at all. These new provisions are not self-executing.

III. Writ of Mandamus

Certainly, with respect to statutes of great public interest and widespread impact, there is precedent for an action to be filed directly with the Ohio Supreme Court to determine what are largely questions of law. In *State ex rel. Ohio Academy of Trial Lawyers v. Sheward*, 86 Ohio St.3d 451, 1999-Ohio-123 (1999), the Supreme Court considered the constitutionality of the Tort Reform Act. The Supreme Court stated, **“This court has previously held that a mandamus action may test the constitutionality of a statute....Moreover, where this court has found a statute unconstitutional it may direct the public bodies or officials to follow a constitutional course in completing their duties.”** This is especially true where a declaratory judgment action or mandatory injunction in a Court of Common Pleas would not be **“complete in its nature, beneficial and speedy.”**

Given that H.B. 49 imposes deadlines on municipalities to adopt changes as described above within an unreasonable timeline, it is arguable that no remedy other than a writ of mandamus from the Ohio Supreme Court will be effective to provide municipalities relief from an unconstitutional statute. Pending further research, we would recommend filing a mandamus action directly with the Ohio Supreme Court.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 7, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

October 25, 2017

Date Prepared:

PC-2017-29 ZONING TEXT AMENDMENT, to amend the zoning Oxford Zoning Code Chapter 1159, Definitions, by eliminating a duplicate definition for fraternity/sorority and revising the definition for lot frontage. **City of Oxford, Applicant**

Recommendation by the Planning Commission: Approval

Discussion:

This is a zoning code cleanup effort to eliminate duplicate definitions that are not consistent for fraternity/sorority and to revise the definition of front lot line to be consistent with other chapters of the zoning code.

This is an ongoing effort to address inconsistencies and to clarify the intent of the Oxford Zoning Code.

The Planning Commission unanimously recommended the approval of the proposed zoning text amendment to City Council for legislative action.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC 11/0/27/17
DRE 11/3/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1159.13 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "L") AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1159.13 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "L").

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on October 10, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1159.13 entitled Definitions (Beginning with the letter "L") and adopting new Oxford Codified Ordinance Sections 1159.13 entitled Definitions (Beginning with the letter "L").

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 1159.13 entitled Definitions (Beginning with the letter "L") and adopts new Oxford Codified Ordinance Section 1159.13 entitled Definitions (Beginning with the letter "L") as follows (additions are bolded and deletions are struck through):

1159.13 DEFINITIONS (BEGINNING WITH LETTER "L").

- (1) **LAND USE PLAN** – See definition of Comprehensive Plan
- (2) **LANDSCAPING** – Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce, an aesthetic effect appropriate for the use. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation.
- (3) **LIVESTOCK** - Includes, but is not limited to, horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, and any other hoofed animals.
- (4) **LOADING SPACE** – An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials; and which abuts upon a street, alley or other appropriate means of access.
- (5) **LODGING HOUSE** - A dwelling where lodging, but not meals, is provided for compensation for no more than 12 persons who are not transients or members of the owner's family, and do not live as a single housekeeping unit in a family-like environment on a relatively permanent basis, and in which no cooking or dining facilities are provided in individual rooms.
- (6) **LOT** – A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.
- (7) **LOT AREA** - The total horizontal area within the lot lines of the lot except any portion in the right-of-way of any public thoroughfare.
- (8) **LOT CONSOLIDATION** - The joining together of two or more lots, sites, tracts, or parcels into one or more lots.
- (9) **LOT, CORNER** - A lot abutting upon two or more streets at their intersection or upon which two parts of the same street form an interior angle of less than 135 degrees. The point of intersection of the lines is the corner.
- (10) **LOT, COVERAGE** – The ratio, expressed as a percentage, of the sum of the enclosed ground floor area of all buildings and all decks, porches, driveways, and parking areas, to the total area of the lot.

(11) **LOT, DEPTH** - The horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines.

(12) **LOT, INTERIOR** - A lot other than a corner lot.

(13) **LOT, IRREGULAR** - A lot whose opposing property lines are generally not parallel, such as a wedge shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

(14) **LOT LINE** - The legal demarcation between properties either public or private.

(15) **LOT LINE**

- A. **FRONT** - The lot line separating an interior or through lot from the street or streets upon which it abuts. ~~or the shortest lot line on a corner lot which abuts upon a street, except when a lot line abutting streets are of equal length, the front lot line shall be considered to be on the street having the longest frontage within the same block.~~ **For a corner lot, both lot lines abutting the streets are considered front lot line.**
- B. **REAR** - A lot line parallel to, or within 45 degrees of being parallel to, the front lot line, which does not abut upon a street. The rear lot line may abut upon an alley.
- C. **SIDE** - Any other lot line other than a front or rear lot line.

(16) **LOT OF RECORD** - Real estate recorded in the deed records in the office of the Butler County Recorder as a distinct lot or parcel, the description of which is complete and sufficient, in and of itself, for conveyance purposes without combination with other lots or parcels; or real estate recorded in the subdivision of lots records of the Butler County Recorder's office as a distinct lot or parcel capable of being conveyed without a combination with other lots or parcels.

(17) **LOT SPLIT** - Any division of land into less than three lots, sites, tracts or parcels.

(18) **LOT, THROUGH** - An interior lot having frontage on two or more streets.

(19) **LOT WIDTH** - That distance from the point of intersection of one side lot line and the required front setback line, measured in a straight line to the point of intersection of the opposite side lot line and the required front setback line.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**Certification of Action
Oxford Planning Commission
Recommendation to City Council**

<u>Report Date</u>	November 7, 2017
<u>Case Number</u>	PC-2017-29
<u>Applicant Information</u>	City of Oxford Jung-Han Chen
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To Amend Chapter 1159, Definitions, Specifically 1159.13(15) Lot Line and Eliminating 1159.20(8) Sorority and Fraternity
<u>Public Hearing Information</u>	On October 10, 2017 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Journal News on September 10, 2017.
<u>Commission Action</u>	The Planning Commission voted 6-0-0 recommending forwarding to City Council.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated September 29, 2017 2. Chapter 1159 3. Interoffice Reviews 4. Zoning Code Text Amendment Application

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-29

Date – October 10, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Oxford Zoning Code Chapter 1159, Definitions, specifically 1159.13(15) Lot Line and Eliminating 1159.20(8) Sorority and Fraternity, City of Oxford, Applicant

DESCRIPTION

This application is to address two specific sections of the Oxford Zoning Code Chapter 1159 Definitions to clarify the intent and to eliminate conflicting definitions. These inconsistencies were brought to staff's attention recently by Law Director, as well as the general public.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1159 Definitions for your information.

COMPREHENSIVE PLAN

- Not applicable

AGENCY REVIEW

Police:	Returned without comment
Engineering:	Returned without comment
Econ. Dev.	Not returned with comments
Fire:	Returned without comment

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This application is to clean up the inconsistency in the Zoning Code, particularly to definitions of Fraternity/Sorority and Lot Line-Front. These are two particular sections that Staff felt needed to be addressed to clarify the intent of the zoning code. One deals with the front lot line, the second deals with fraternity and sorority definition. The definition of the front lot line is not consistent with the intent and other sections of the Zoning Code. Therefore, it is important to clean it up.

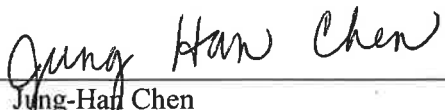
Currently, there are two definitions related to fraternity/sorority. The definition of fraternity/sorority is different than the definition of sorority/fraternity. It was an oversight of staff for not updating both definitions in 2012 when the changes took place on one part of the definition, but not the other part. Therefore, it is also in need to be consistent. The recommended approach is to eliminate section 1159.20(8).

RECOMMENDATION

Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:



Jung-Han Chen

Community Development Director

DATE: September 29, 2017

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.

Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 15, 2017

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

From: Community Development Department

PC-2017-29, ZONING CODE TEXT AMENDMENT, to amend Oxford Zoning Code Chapter 1159, Definitions, by eliminating a duplicate definition for fraternity/sorority and revising the definition for lot frontage to match other zoning chapters, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **October 2, 2017** 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 Detherage
PRINTED NAME

Date:

9-2-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 15, 2017

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

From: Community Development Department

PC-2017-29, ZONING CODE TEXT AMENDMENT, to amend Oxford Zoning Code Chapter 1159, Definitions, by eliminating a duplicate definition for fraternity/sorority and revising the definition for lot frontage to match other zoning chapters, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **October 2, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

RECEIVED

SEP 15 2017

City of Oxford
Service Department

Drawings reviewed by: _____

H. Popescu

Date: 9-15-17

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 15, 2017

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

From: Community Development Department

PC-2017-29, ZONING CODE TEXT AMENDMENT, to amend Oxford Zoning Code Chapter 1159, Definitions, by eliminating a duplicate definition for fraternity/sorority and revising the definition for lot frontage to match other zoning chapters, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **October 2, 2017** 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: _____

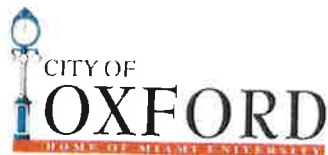


Date: _____

9/18/17

John A. Jones

PRINTED NAME



Internal Use Only:

Case No.

PC-2017-29

Date Filed

8/21/17

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * (513) 524-5237

Email Address jhchen@cityofoxford.org

Amendment Description * Chapter 1159 Definition

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (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. Any existing section number and text that is proposed to be deleted or amended.
- H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
- I. A narrative statement that describes the expected effects of the proposed text.
- J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

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. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

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 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.

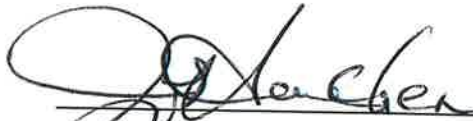
Fees & Receipt

The required fee is \$150.00. 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 *


8/20/17

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 the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department 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.

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/07/2017

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/31/2017
Date Prepared

Agenda Title: 2018 ANNUAL ADVANCE ORDINANCE

Recommendation: Approve

Discussion:

Description of Budgeted Advances for the 2018 Budget

Advance from GENERAL FUND 110
Advance to CAPITAL IMPROVEMENT FUND 141
- Sandra Drive Culvert & Contreras Road Culvert

Funds to be reimbursed from Ohio Public Works Commission	322,750.00
--	------------

This repayment to General Fund will be made when funds received or end of year.

Advance from GENERAL FUND 110
Advance to SOUTHPOINT ROADWAY TIFF IMPROVEMENT FUND 146
- Phase I OAT construction

Funds to be reimbursed from the issuance of notes	200,000.00
---	------------

This repayment to General Fund will be made when funds received.

Advance from GENERAL FUND 110
Advance to EMPLOYEE BENEFIT FUND 230
- Make whole account balance due to early use of plan which is repaid by the employees evenly throughout the year.

Funds to be reimbursed from employees' contribution for flexible spending program.	5,000.00
--	----------

This repayment to General Fund will be made by year end.

Advance from GENERAL FUND 110

Advance to OVI TASK FORCE FUND 419

- Federal funds received pursuant to the OVI Task Force Grant for OVI Task Force activities

Funds to be reimbursed from Ohio Department of Public Safety

225,000.00

This repayment to General Fund will be made when funds received.

Approved By:

Department Head:

City Manager:

Initial Date

PR 10/31/17
DR 11/3/17

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED ADVANCES FOR THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018.

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

SECTION 1: The following advances are to be executed for the City of Oxford during the fiscal year ending December 31, 2018, as follows:

Advance from:

General Fund 110	322,750.00
Capital Improvement Fund 141	322,750.00
General Fund 110	200,000.00
Southpointe TIFF Fund 146	200,000.00
General Fund 110	5,000.00
Employee Benefit Fund 230	5,000.00
General Fund 110	225,000.00
OVI Task Force Fund 419	225,000.00

Advance to:

Capital Improvement Fund 141	322,750.00
General Fund 110	322,750.00
Southpointe TIFF Fund 146	200,000.00
General Fund 110	200,000.00
Employee Benefit Fund 230	5,000.00
General Fund 110	5,000.00
OVI Task Force Fund 419	225,000.00
General Fund 110	225,000.00

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: STAFF

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: November 7, 2017

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

October 24, 2017

Date Prepared

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

Recommendation:

Discussion: This is a new permit for Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056.

The permit is for:

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

C2 - Wine and mixed beverages in sealed containers for carry out.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

11/3/17

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

2948428		NEW		FRIDGE & PANTRY INC DBA FRIDGE & PANTRY UPTOWN MARKET 35 E CHURCH ST OXFORD OH 45056
PERMIT NUMBER		TYPE		
ISSUE DATE				
10 03 2017				
FILING DATE				
C1 C2		PERMIT CLASSES		
09	088	A	B76370	
TAX DISTRICT		RECEIPT NO.		

FROM 10/20/2017

RECEIVED

PERMIT NUMBER		TYPE		10/23/17 City of Oxford
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT		RECEIPT NO.		



MAILED 10/20/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/20/2017

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

(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.
KIMBERLY WEISMAN	0.00	TREASURER
LAWRENCE KOLINSKI	2000.00	
MARK WEISMAN	2000.00	
NICOLE ORTNER	1000.00	SECRETARY
STEPHEN THOMAS	1000.00	CEO

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- [Ohio Department of Commerce](#)

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CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: November 7 and 21, 2017

Service _____
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

August 15, 2017
Date Prepared

Agenda Title: Expansion of the Defined Mile Square "Plus" Area

Recommendation: Approve

Discussion:

Oxford's Codified Ordinance Chapter 931.02(c) defines the Mile Square "Plus" area, including ancillary streets. Managers of rental properties and neighboring owner occupants on Cedar Drive and Silvoor Lane have approached City staff requesting that the rental properties be made eligible for the additional Move-In and Move-Out refuse collection services.

With the inclusion of Cedar Drive and Silvoor Lane into the Mile Square "Plus" area, the rental properties on these streets (currently five 4-tenant properties out of a total of 22 properties) would be eligible for the additional refuse collection services associated with Miami University's move-in and move-out time periods at the beginning and end of their academic, two semester year. If included in the defined Mile Square "Plus" area, the rental properties on these streets would be subject to the monthly move in/out solid waste removal fee to cover the expense of this refuse additional service.

Residential refuse accounts within the Mile Square "Plus" are required to utilize wheeled lid-attached totes for their refuse placed curbside, with the exception of owner occupied properties.

It is the recommendation of staff that Council authorize the revision of Chapter 931.02(c) to include Cedar Drive and Silvoor Lane as ancillary streets included in the Mile Square "Plus" area.

Approved By:

Department Head:
City Manager:

Initial Date
DT 8/16/17
DT 11/3/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 931.02, ENTITLED CONTAINER REQUIREMENTS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 931.02, ENTITLED CONTAINER REQUIREMENTS.

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

SECTION I: Section 931.02 of the Codified Ordinances of the City of Oxford, Ohio entitled Container Requirements, regulates the type of containers utilized for the collection and disposal of solid waste and recycling.

SECTION II: For the purpose of the collection and disposal of solid waste and recycling, the City Manager and the Service Director recommend the addition of Cedar Drive and Silvoor Lane as ancillary streets in the Mile Square “Plus” area.

SECTION III: Current Section 931.02 of the Codified Ordinances of the City of Oxford, Ohio, entitled Container Requirements, is hereby repealed and new Section 931.02 is adopted to read as follows (additions are bolded):

931.02 CONTAINER REQUIREMENTS

- (a) No customer of any public or private premises shall permit the accumulation upon the premise of any garbage or refuse except in covered containers approved by the Service Director. Such containers shall be constructed in such manner as to be strong, not easily corrodible, rodent-proof and of a capacity of not more than 32 gallons or weighing more than 60 pounds loaded, or in a wheeled lid-attached tote (gross weight limit of 250 pounds), or in dumpster containers approved by the Service Director capable of being lifted mechanically by the waste contractor. All containers shall have tight covers, the same to be in place at all times except when garbage or refuse is being deposited or removed. In the event garbage and refuse are disposed of separately, the Service Director may require separate containers. Tree cuttings and odd articles shall be crushed and/or bundled in lengths not to exceed three feet or 50 pounds in weight. Recycling materials may be accumulated in the recycling container issued to each customer or in a larger container which is approved for garbage or refuse accumulation.
- (b) (1) All residential users and customers except as provided for herein within the Mile Square “Plus” area, shall be required to utilize a wheeled, lid-attached tote (waste wheeler tote) container capable of being mechanically lifted by the collection vehicle with a gross weight limit of 250 pounds.

(2) The wheeled lid-attached tote containers shall be obtained (monthly rental or purchased) from the waste contractor. The lid of the wheeled lid-attached tote shall be tightly closed when placed curbside in the right-of-way for collection. No residential user or customer shall allow the tote to overflow. No solid waste shall be placed on top of, next to, or around the tote. Owner occupied properties are not required to utilize the wheeled lid-attached tote containers.

(c) For the purpose of Oxford Codified Ordinance Chapter 931.02, the Mile Square “Plus” area is defined as the area enclosed by, and on the exterior parameter of the intersections of East Chestnut Street and Patterson Avenue, west to West Chestnut and South Locust Streets, north to North Locust and West Sycamore Streets, east to East Sycamore Street and Tallawanda Road, south to Tallawanda Road and East High Street, east to East High Street and Patterson Avenue, and south to the intersection of Patterson Ave. and Chestnut Street. The ancillary streets of Arrowhead Drive, Acorn Circle, Lincoln Street, North Beech Street, North Poplar Street, Homestead Avenue, Bouden Lane, North Campus Avenue, University Avenue, **Cedar Drive and Silvoor Lane** shall be considered as included in the Mile Square “Plus” area.

(d) The required minimum number of wheeled lid-attached tote containers shall be one (1) per unit, with additional containers required based upon the maximum permitted residential occupancy. The minimum number of wheeled lid-attached tote containers required is as follows:

Maximum permitted occupancy	Waste Wheeler Tote Containers
1 – 4	1
5 – 8	2
9 – 12	3
13 - 16	4

(e) The City Manager shall have the authority to provide and require the property owner to pay for additional waste wheeler tote containers should any property owner be found responsible or liable for two (2) or more citations during any twelve (12) month period for violating any provision of Oxford Codified Ordinance Section 931.02.

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

MAYOR

ADOPTED:

ATTEST:

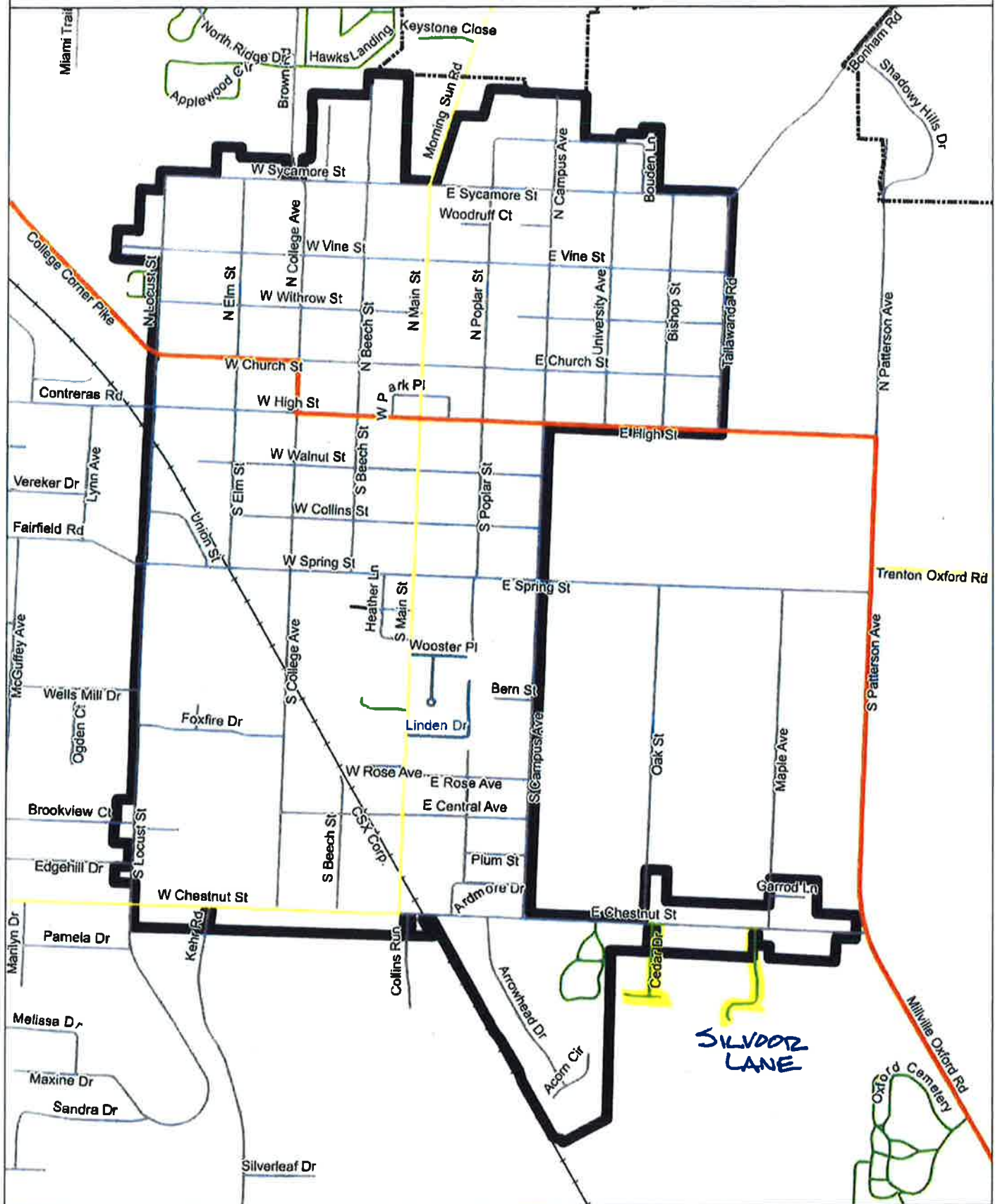
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Move Out Week - Additional Pickups

0 500 1,000 2,000 Feet



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 7, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

October 25, 2017

Date Prepared:

PC-2017-26 ZONING MAP AMENDMENT, to amend the zoning designation of certain properties between Poplar Street and Campus Ave, from a Single and Two-Family Mile Square Residential (R-2MS) to a Single, Two- and Three-Family Mile Square Residential (R-3MS) District, City of Oxford, Applicant,

Recommendation by the Planning Commission: Approval

Discussion:

This is a map amendment that reflects the Planning Commission's discussion and desire to change the zoning designation on certain areas to better represent actuality, and to plan to encourage increased density since these areas are either located adjacent to campus or near a major corridor to campus.

This area is situated between S. Poplar Street and S. Campus Avenue and along Rose Avenue to the south and directly south of the apartment complex, facing Spring Street.

This is the outcome from the request of the Planning Commission to further expand higher density near the campus to encourage redevelopment in the future.

The Planning Commission recommended the approval of the proposed zoning map amendment in a vote of 5-1-0 to City Council for legislative action.

Approved by:

Department Head:
City Attorney:
City Manager:

JHC | 10/27/17
PRE | 11/3/17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR CERTAIN PROPERTIES IN THE CITY OF OXFORD'S MILE SQUARE A MAP OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, AND REZONING THE PROPERTIES FROM R-2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT, TO R-3MS (SINGLE, TWO AND THREE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on October 10, 2017, on the City of Oxford's application for a Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and incorporated herein and rezoning the properties from R-2MS (Single and Two Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the characteristics of the general vicinity of the properties and was the most appropriate zoning classification for the properties in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and rezoning the properties from R-2MS (Single and Two Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

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

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

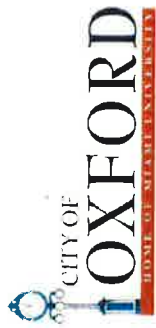
MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



Zoning Map Amendment

Legend



Oxford Corp. Limit



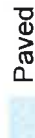
Address Point



Parcel



Proposed R2MS to R3MS



16.5' Vacated ROW

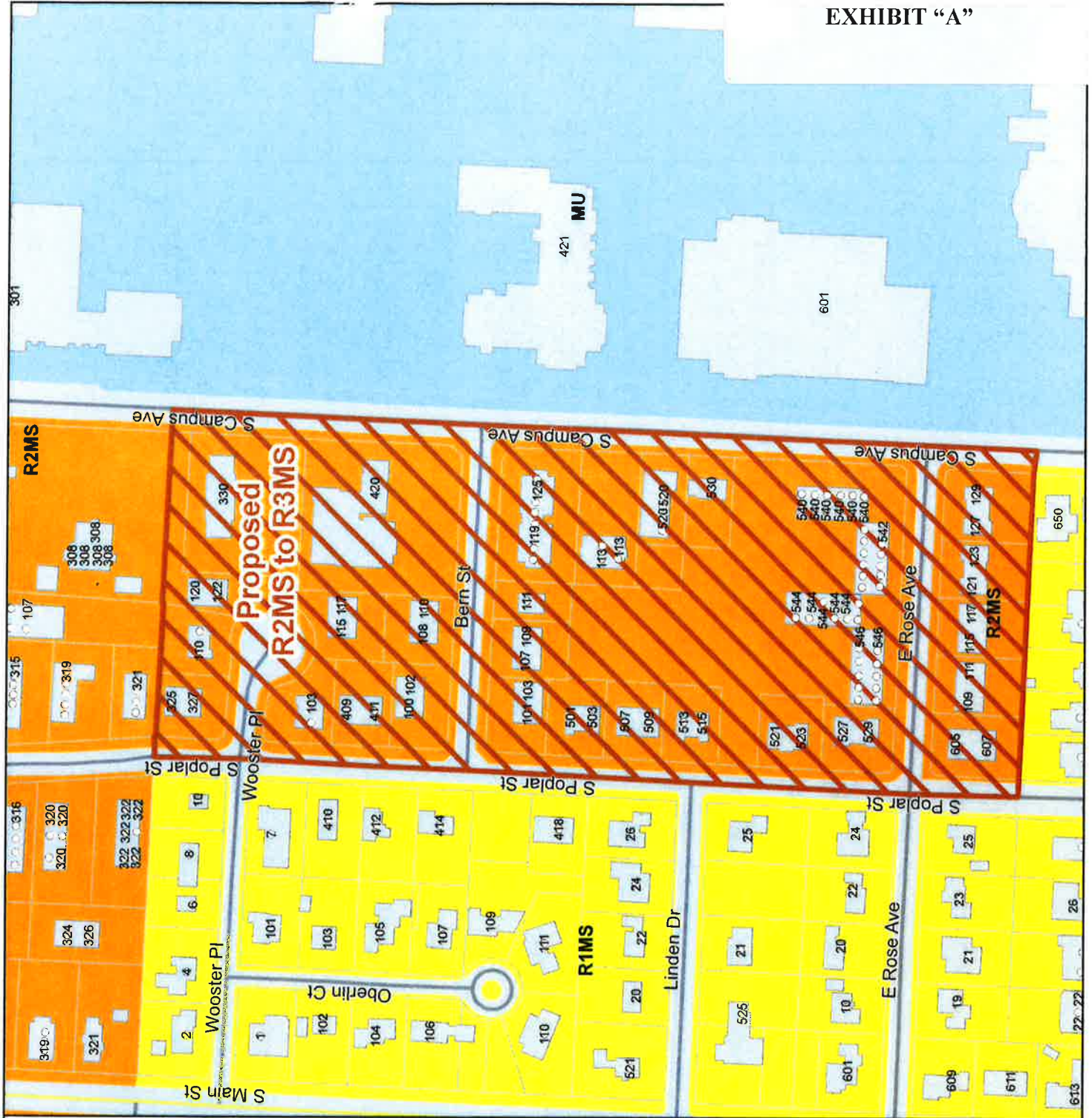


Building Footprint



Paved Roadway

1 inch = 175 feet



Certification of Action

Oxford Planning Commission

Recommendation to City Council

Report Date November 7, 2017

Case Number PC-2017-26

Applicant Information City of Oxford

Requested Action Zoning Code Map Amendment

Summary of Request To Amend the Zoning Designation of Certain Properties Between S. Poplar Street and S. Campus Avenue, Along Bern Street and E. Rose Avenue from R-2MS District to R-3MS District.

Public Hearing Information A Public Hearing took place at 118 W. High Street on October 10, 2017. A Public Hearing notice was published in the Journal News on August 13, 2017. Courtesy notices were mailed to adjacent property owners on August 29, 2017. Multiple signage was posted at the site on September 5, 2017.

Commission Action The Planning Commission at their September 12, 2017 meeting Tabled this hearing.

At their October 10, 2017 meeting, the Planning Commission voted 6-0-0 recommending forwarding on to City Council.

Commission Findings and Conclusions This is a map amendment that reflects Planning Commission's earlier discussion of PC-2017 map amendment. The Planning Commission felt that this area deserved discussion whether a zoning re-classification would be warranted. After reviewing the Decision Standards, the Planning Commission voted approval.

Exhibits Submitted to the Commission

1. Staff Report Dated August 22, 2017
2. Interoffice Review Transmittal Sheets
3. Surrounding Property Owner Notifications Map
4. Zoning Map Amendment Application
5. Zoning Map

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-26

Date – September 12 , 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING MAP AMENDMENT to Amend the zoning designation of certain properties between S. Poplar Street and S. Campus Avenue, along Bern Street and E. Rose Ave, from R-2MS District to R-3MS District, City of Oxford, Applicant

DESCRIPTION

This is a map amendment that reflects Planning Commission's earlier discussion for the area highlighted in the attached map. The Planning Commission felt that this area deserved discussion whether a zoning re-classification would be warranted.

The Planning Commission in general was in agreement that a higher density should be contemplated and encouraged in the area closer to campus.

ZONING CODE

The attached map amendment illustrates changes to the area from R-2MS (Single- and Two-Family Mile-Square Residential) District to R-3MS (Single-, Two- and Three-Family Mile Square Residential) District.

COMPREHENSIVE PLAN

Land Use Element:

The community's small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Map 3.6 and 3.7 also show the neighborhood enhancement area as well as neighborhood character.

Urban Design

- Preserve and enhance historic resources in the Mile Square including Uptown District

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

Fire: Returned with no comments

DECISION CRITERIA

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

ANALYSIS

This is a continuation discussion from a recent zoning map and text amendment the Planning Commission reviewed and made recommendations to City Council for consideration. The previous recommendations focused on the general area of Spring Street, Main Street and Campus Avenue, in between the RO District to the north and the R-1MS District to the south (See PC-2017-10). This amendment is to extend the R-3MS District all the way to just north of Central Avenue, between South Polar Street and South Campus Avenue.

During the previous work sessions and meetings, the Planning Commission was not in total agreement with "large scale" rezoning with the thought to let those changes take place to gauge how the development community responds to changes of zoning regulations and make more changes as the Planning Commission sees the need.

This area is wedged between the areas identified by the Planning Commission for re-classification. The Commission is in agreement that in anticipation of higher student enrollment, it needs to review the zoning regulations to encourage student rentals to be closer to campus.

It should be noted that the 2008 Comp Plan did not include these areas for enhancement or expansion on Map 3.4 and Map 3.5. But it also needs pointed out that the student enrollment was capped for many years, until the cap was removed and the number for enrollment increased from 17,000 to nearly 20,000. For a town like Oxford, an increase of 2,000 additional students does have significant impact to local housing.

The area is close to the academic central quad and, again, is within walking distance to the north academic quad. It is also close to the Goggin Ice Center and the Rec Center and to the Uptown.

The Planning Commission did discuss this area for possible reclassification, and the thought process at that time was that any changes to the zoning classification would not impact the actual redevelopment potential, since the new duplexes were built in 2012 and the apartment complex is still considered to be nonconforming even though the site is rezoned from the R-2MS District to the R-3MS District.

RECOMMENDATION

Staff does not have any objection to the map amendment, but would ask the Planning Commission to look at the potential impact of this extensive reclassification of a large area.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: August 22, 2017

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.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, City of Oxford, Applicant

X Review Revisions Other

Please return no later than: **September 5, 2017** 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: 8-16-17

John Detharage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **September 5, 2017** 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: *A. Popescu* Date: 8-15-17

VICTOR POPESCU
PRINTED NAME

John A Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: August 7, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-26, ZONING CODE MAP AMENDMENT, to amend the zoning classification of certain properties between Poplar Street and Campus Avenue, Single and Two Family Mile Square Residential (R-2MS) District to Single, Two and Three Family Mile Square Residential (R-3MS) District, City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **September 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

THIS AREA ADJUTS THE MIAMI CAMPUS. IT IS CURRENTLY DEVELOPED WITH MULTI-FAMILY AND DUPLEX UNITS. IT IS, I IMAGINE, 100% RENTAL PROPERTY.

SO, IF THE RE-ZONING ENCOURAGES THE RE-DEVELOPMENT OF THESE OLDER MULTI-FAMILY UNITS, ALL IS GOOD.

"This area abuts the Miami campus. It is currently developed with multi-family and duplex units. It is, I imagine, 100% rental property. So, if the rezoning encourages the re-development of these older multi-family units, all is good."

Drawings reviewed by:  Date: 9-5-17

G. ALAN RYAN
PRINTED NAME



PC-2017-26

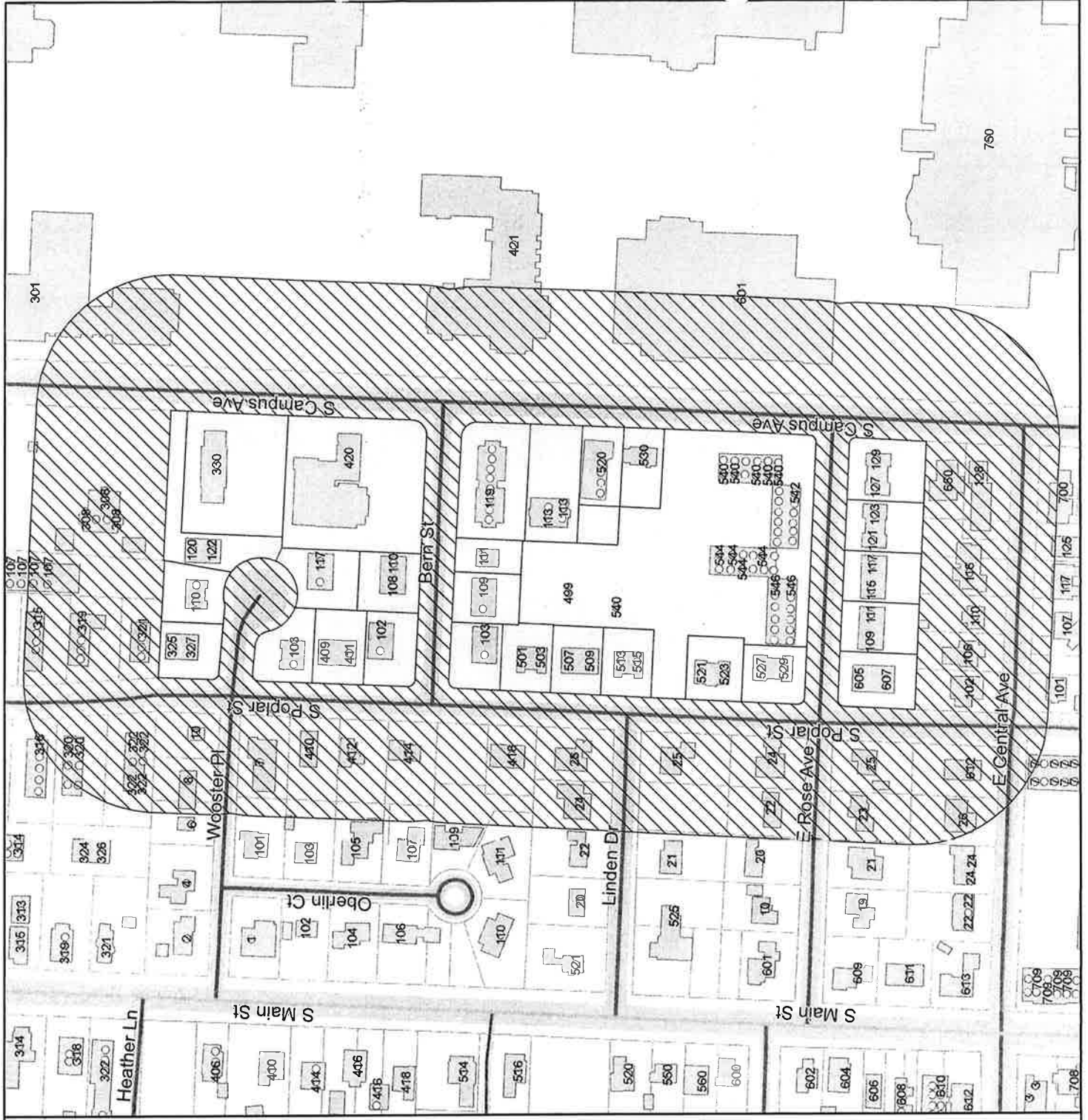
Surrounding Property Owners Notifications Map

Legend

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



1 inch = 200 feet





Internal Use Only:

Case No.

Date Filed

 PC-2017-26
 7/28/17

Zoning Map Amendment Application

Applicant Information

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

Name *

Jung-Han Chen

Mailing Address *

101 E. High Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

513-5245237

Email Address

jhchen@cityofoxford.org

Location and Lot Information

Location *

S. Campus Avenue

 General Description
 of Proposed Amendment *

Zoning Map Amendment from R2MS to R3MS

Current Zoning *

R2MS

Proposed Zone(s) *

R3MS

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 *


2/12/17

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, 101 East High Street, 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/>