

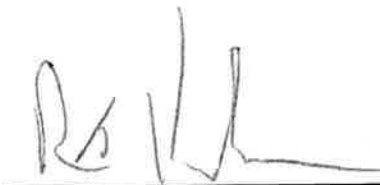
CERTIFICATE OF RECOGNITION

WHEREAS, studies have proven bystander initiated cardiopulmonary resuscitation (CPR), along with the use of public automated external defibrillators (AED's), significantly improve the outcomes of individuals who experience sudden cardiac arrest; and

WHEREAS, on September 24, 2013 at the Oxford Community Park you recognized a fellow citizen in physical distress, administered CPR, and utilized an AED available at the park until the Oxford Fire and EMS personnel arrived on the scene; and

WHEREAS, your response and quick actions made a difference and led to the positive recovery of the individual; now

THEREFORE, the Oxford City Council hereby recognizes and thanks Kayla Ponder for stepping forward, getting involved, and helping make the Oxford community a safer place to work, live and enjoy life.



Richard A. Keebler, Mayor

November 18, 2013

CERTIFICATE OF RECOGNITION

WHEREAS, studies have proven bystander initiated cardiopulmonary resuscitation (CPR), along with the use of public automated external defibrillators (AED's), significantly improve the outcomes of individuals who experience sudden cardiac arrest; and

WHEREAS, on September 24, 2013 at the Oxford Community Park you recognized a fellow citizen in physical distress, administered CPR, and utilized an AED available at the park until the Oxford Fire and EMS personnel arrived on the scene; and

WHEREAS, your response and quick actions made a difference and led to the positive recovery of the individual; now

THEREFORE, the Oxford City Council hereby recognizes and thanks Dee Fisher for stepping forward, getting involved, and helping make the Oxford community a safer place to work, live and enjoy life.



Richard A. Keebler, Mayor

November 18, 2013

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/18/13

Heidi Hill
Prepared By

Account Code No. _____

Budgeted Amount: _____ 11/12/2013
Date Prepared

Agenda Title: Resolution for advanced property tax payment from Butler County

Recommendation: Approve

Discussion:

This resolution is to request that Butler County remit 2014 property taxes which they have already received to the City earlier than their standard pay date in March. The early payment request can accelerate the receiving of a portion of the taxes by a month or more. To qualify for the early advance, the County requires the passage of a resolution each year.

Approved By:

Department Head:
City Manager:

Initial Date

DA 11/12/13
DH 11/15/13

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST ADVANCED PAYMENT OF PROPERTY TAXES TO THE CITY IN 2014 FROM BUTLER COUNTY.

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

SECTION 1: The City Manager and Finance Director recommend that the City Manager be authorized to request advanced payment of property taxes, as much as available as soon as possible, from Butler County in order to maximize cash flow to meet the demands of financing operations and capital expenditures.

SECTION 2: Council hereby finds that it is in the best interest of the City of Oxford to request payment of property taxes that Butler County has collected in advance of the normal payment date.

SECTION 3: Council further determines that the early receipt of said property taxes will result in additional interest income for the City.

SECTION 4: Council hereby accepts the recommendation of the City Manager and Finance Director and hereby authorizes the City Manager to submit a request to Butler County for the advanced payment of property taxes, as much as available as soon as possible.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of : 11/4/2013

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

10/25/2013
Date Prepared

Agenda Title: **2013 Supplemental Budget #5**

Recommendation: **Approve**

Issue 1

To provide funds for the new Fund #143 for the sole purpose of the acquisition of property, improvements to acquired or existing property and necessary equipment for Municipal Facilities as discussed during the October 17th budget work session. To transfer \$2,000,000 from the General Funds unencumbered fund balance after the passage of the resolution to create Fund 143. This will leave a projected 2013 year ending General Fund balance of \$6,043,340, which is approximately 60% of the proposed 2014 General Funds budgeted operating expenditures and transfers out.

Revenue Side

Municipal Facilities Capital Improvement 143 2,000,000.00 Transfer from General Fund

Expense Side

General 110 2,000,000.00 Municipal Facilities Capital Improvement Fund

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

Municipal Facilities Capital Improvement 143 2,000,000.00
General 110 (2,000,000.00)

Net Effect on Fund Balance/(s) -

Approved By:

Department Head:

City Manager:

Initials Date
 JK 11/02/13
 DJK 11/1/13

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3190. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 5 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2013.

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

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

SECTION 2: The following increase/(decrease)in appropriations from unencumbered balances be made:

General Fund 110	2,000,000.00
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SECTION 3: The following transfer(s) be executed:

Transfer from: General Fund 110	2,000,000.00
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Transfer to: Municipal Facilities Capital Improvement Fund 143	2,000,000.00
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SECTION 4: The following increase/(decrease)in revenues be made:

Municipal Facilities Capital Improvement Fund 143	2,000,000.00
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SECTION 5: In all other respects, Ordinance No. 3190 shall remain in full force and effect.

SECTION 6: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: November 18, 2013

Mary Ann Eaton

Account Code No. #:

Prepared By

Budgeted Amount:

November 14, 2013

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to enter into a contract with Scott Webb, Architect, for the preparation of the final construction documents to remodel and add on to the Oxford Fire Station at a cost not to exceed \$15,600.00.

Recommendation: Approve

Discussion:

City Council discussed Municipal facility needs at their annual Retreat including the need for an addition to the Fire Station. Since the transition from a volunteer to a full-time operation with part-time employees, the Fire Division's space needs have increased. Council reviewed a preliminary design on November 4, 2013 which included an additional 2,100 square feet of space for sleeping, meeting, and storage, plus new restroom and shower facilities. The City Manager recommends that the City enter into a contract with Scott Webb, Architect, to prepare the final construction documents. The documents will include the drawing package and specifications detailing the requirements for the remodeling and addition to the Fire Station. Structural engineering for the entire building is included in the Architectural fee. Mechanical and electrical engineering documents stamped by registered engineers are required for the permit application. The basic architectural services includes those design services and will include the application to the City of Oxford's Building Department for building permit approval. The cost of the proposed contract shall not exceed \$15,600.00.

Approved By:

Initial Date

Department Head:

City Manager:

 11/15/13

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SCOTT WEBB, ARCHITECT, FOR THE PREPARATION OF THE FINAL CONSTRUCTION DOCUMENTS TO REMODEL AND ADD ON TO THE OXFORD FIRE STATION AT A COST NOT TO EXCEED \$15,600.00.

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

SECTION 1: The City Manager recommends the City enter into a contract with Scott Webb, Architect, for the preparation of the final construction documents to remodel and add on to the Oxford Fire Station at a cost not to exceed \$15,600.00.

SECTION 2: Council having reviewed the recommendation of the City Manager hereby authorizes the City Manager to enter into a contract with Scott Webb, Architect, for the preparation of the final construction documents to remodel and add on to the Oxford Fire Station at a cost not to exceed \$15,600.00.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 4, 2013

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

October 21, 2013

Date Prepared:

PC-14-2013 MAP AMENDMENT, to amend the zoning classification of certain real estate; the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, totaling approximately 2 acres, including rights of ways, to be rezoned from R1MS (Single-Family Mile Square Residential) District to R2MS (Single- and Two-Family Mile Square Residential) District, **Scott Webb, Applicant, Agent**

Recommendation: Approval

Discussion:

The request is to amend the zoning map of the following properties from R1MS to R2MS, an area encompassing seven dwelling structures in a 10 parcel half city block. The subject area is predominately residential.

The current uses of the properties in this subject area are as follows:

115 S. College Avenue	duplex (permitted occupancy of 4 in each, with total occupancy of 8)
123 S. College Avenue	4-dwelling unit (total permitted occupancy of 11)
116 W. Collins Street	duplex (permitted 4 in each unit, with total occupancy of 8)
114 W. Collins Street	lodging house (permitted occupancy of 7, housing lawsuit case)
104 W. Collins Street	lodging house (permitted occupancy of 6, housing lawsuit case)
120 S. Beech Street	lodging house (permitted occupancy of 12, housing lawsuit case)
114 S. Beech Street	lodging house (permitted occupancy of 9, housing lawsuit case)

Prior to the zoning map amendment in 2003, the subject properties were already nonconforming uses due to a housing lawsuit filed by property owners. The most recent changes in the Nonconforming Chapter allowed these nonconforming uses to reconfigure the buildings with a reduction in occupancy. Unfortunately, property owners still continue requesting more changes to the zoning code.

In considering a zoning map amendment, the Planning Commission must adhere to the decision standards outlined in the zoning code and determine that at least one standard has been met and the benefit of the amendment outweighs any potential pitfalls.

After the public hearing, the Planning Commission voted 7-0-0 to recommend approval of this Zoning Map Amendment to City Council for legislative action.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 10/25/13
JAE 11/6/13

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR THE SOUTH HALF OF THE CITY BLOCK BOUNDED BY WEST COLLINS STREET, SOUTH COLLEGE AVENUE, WEST WALNUT STREET AND SOUTH BEECH STREET, TOTALING APPROXIMATELY TWO (2) ACRES, INCLUDING RIGHTS-OF-WAY, AND REZONING THE PROPERTY FROM R1MS (SINGLE-FAMILY MILE-SQUARE RESIDENTIAL) DISTRICT TO R2MS (SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL) ZONING 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 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on October 8, 2013, at 7:30 p.m. on the application of Scott Webb, Applicant, Agent, for a Zoning Map Amendment for the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, totaling approximately two (2) acres including rights-of-way and rezoning the property from R1MS (Single-Family Mile Square Residential) District to R2MS (Single and Two-Family Mile Square Residential) Zoning 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 intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property 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, rezoning approximately two (2) acres of land encompassing the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, including rights-of-way, a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from R1MS (Single-Family Mile Square Residential) District to R2MS (Single and Two-Family Mile Square Residential) Zoning District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request 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:

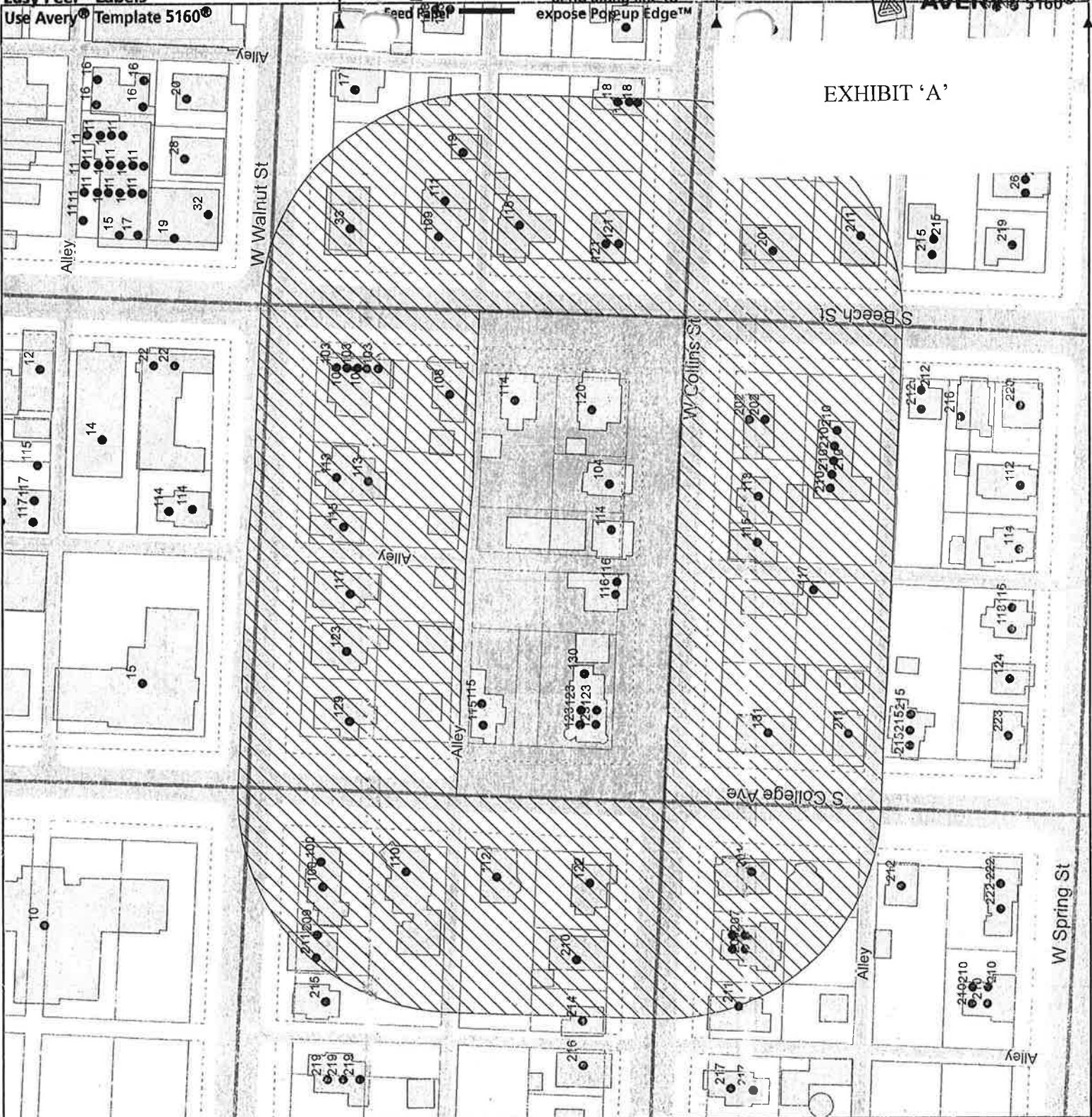
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

EXHIBIT 'A'



PC-14-2013

Adjacent Properties

- Legend**
- Subject Area
 - 200 Ft. Buffer
 - Oxford Corporation Limit
 - Parcel
 - 16.5' Vacated ROW
 - Building Footprint
 - Paved Roadway



1 inch = 125 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.

www.avery.com
1-800-GO-AVERY

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

<u>Report Date</u>	November 4, 2013
<u>Case Number</u>	PC-14-2013
<u>Applicant Information</u>	Scott Webb, Architect, Agent
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	PC-14-2013 Zoning Map Amendment , to amend the zoning classifications of the following properties from R1MS (Single-Family Mile-Square Residential) District to R2MS (Single- and Two-Family Mile Square Residential) District: 115 S. College Avenue, 123 S. College Avenue, 116 W. Collins Street, 114 S. Beech Street, 120 S. Beech Street, 104 W. Collins Street, and 114 W. Collins Street. Further described as certain real estate bordered by W. Collins Street, S. College Avenue, S. Beech Street, and the east-west alley connecting S. Beech Street and S. College Avenue, including rights-of-ways, approximately two acres in size.
<u>Public Hearing Information</u>	On October 8, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on September 6, 2013. Public Hearing notices were mailed out to surrounding properties on September 12, 2013.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment having met at least one of the Decision Standards, and reducing the number of nonconforming uses.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated October 1, 2013 2. 2002 Zoning Code 3. Interoffice Reviews 4. Property Notifications 5. Properties Affected Map 6. Agency Letters 7. Zoning Map Amendment Application Dated August 23, 2013

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-14-2013

Date – October 8, 2013

APPLICATION

Applicant:	Scott Webb, Architect
Location:	115 S. College Avenue, 123 S. College Avenue, 116 W. Collins Street, 114 S. Beech Street, 120 S. Beech Street, and 104 W. Collins Street, 114 W. Collins Street
Owner:	Multiple Owners Represented by the Applicant
Agent:	Scott Webb, Architect
Action Request:	Zoning Map Amendment – To Amend Zoning Classifications of the Above Properties from R1MS (Single-Family Mile-Square Residential) District to R2MS (Single-and Two-Family Mile Square Residential) District
Current Use:	Multi-family dwelling units
Surrounding Existing Land Uses:	Predominantly residential dwellings and some offices

DESCRIPTION

The application is requesting to change the zoning classifications of those properties bordered by S. College Avenue, W. Collins Street, S. Beech Street and the east-west alley connecting S. Beech Street and S. College Avenue. A total of approximately 2 acres of area encompassing 7 dwelling structures in a 10 parcel area. The request is to rezone these properties from R1MS (Single-Family Mile-Square Residential) District to R2MS (Single-and Two-Family Mile Square Residential) District.

The subject area is predominately residential and is directly south of a RO (Residential Office) District, across the alley.

SURROUNDING NEIGHBORHOOD

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and a notice has been placed in the newspaper.

PLANNING COMMISSION AND BOARD OF ZONING APPEALS SITE HISTORY

114 and 116 W. Collins Street - BZA Appeals decision denying the permit- 1993 (withdrawn by Applicant)

COMPREHENSIVE PLAN (2008)

In reviewing any development proposal, the Land Use Chapter of the Comp Plan will be consulted based on the intent of the Comp Plan and the Conservation and Development Map, and the Character Map.

The Land Use Principal:

1. The community's small college town character will be preserved and enhanced.
2. Uptown and new commercial development will have a mix of uses that are distinctive and contribute to enhancing the community's overall identity.
3. Infill development and redevelopment of underutilized sites is a priority.

4. The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities.
5. Green spaces and public spaces will be incorporated as part of future development.
6. Future growth at the edge of the city will preserve open spaces, protect the area's rural character, and be consistent with the other principals.
7. New commercial and light industrial developments will be developed with pedestrian amenities and green spaces.
8. Streets will create an attractive public realm.
9. Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community.
10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

The subject area is identified as a neighborhood enhancement area on the **Conservation and Development Map** to be stabilized and enhance existing neighborhoods within the Mile Square, this should include the maintenance and improvements to public and private property that reflect the traditional neighborhood characteristics and commercial features that exist in the area.

The subject area is also identified Neighborhood General 1 on the **Character Map** and is typified by traditional urban development consisting of detached single-family homes on smaller lots, which may also include some multi-family and mixed-use type development. This zone is also typified by a block pattern and alley use.

COMMENT FORMS

No public comment forms were received.

AGENCY REVIEWS

Requests for review were made to the Police, Fire, Engineering & Economic Development Departments.

The following comments were received:

Police:	Returned without comment
Fire:	Returned without comment
Engineering:	Returned without comment
Econ. Dev.	No comments received

DECISION CRITERIA

A copy of the Zoning Map Amendment Decision Standards is attached.

ANALYSIS

The application is to seek to reclassify this area from R1MS to R2MS. The current uses of the properties in this subject area are as follows:

115 S. College Ave. –	duplex (permitted occupancy of 4 in each, with total occupancy of 8)
123 S. College Ave-	4-dwelling unit (total permitted occupancy of 11)
116 W. Collins St.-	duplex (permitted 4 in each unit, with total occupancy of 8)
114 W. Collins St. –	lodging house (permitted occupancy of 7, housing lawsuit case)
104 W. Collins St. –	lodging house (permitted occupancy of 6, housing lawsuit case)
120 S. Beech St. –	lodging house (permitted occupancy of 12, housing lawsuit case)
114 S. Beech St. –	lodging house (permitted occupancy of 9, housing lawsuit case)

The City Council, through the Planning Commission and its subcommittee, adopted the revisions to the Nonconforming Chapter in March 2013. The impetus of the subcommittee (the Applicant also served on the subcommittee) was to encourage redevelopment of nonconforming uses. The outcome was the removal of many typical prohibitions that are found in local zoning; i.e. the prohibition of enlargement of a nonconforming use and disallowing redevelopment of nonconforming uses. One provision that is still in place is the disallowance of a Use variance.

Please also note that there was a housing lawsuit between various property owners and the City regarding the occupancy of rental properties in the 90's and several properties within the subject area were part of the lawsuit that finally reached agreements with the City to allow the nonconforming status to remain.

Based on the narrative from the Applicant, the idea of amending the zoning map was in response to any possible renovations because the existing configuration of the houses was divided haphazardly over the years and the possibility of maintaining 4- units, after an occupancy reduction, was not a reasonable solution.

The narrative from the Applicant highlights the benefits of eliminating nonconforming uses by changing the zoning classification from R1MS to R2MS in 5 out of the 7 properties, but still would leave 114 S. Beech Street and 120 S. Beech Street to be nonconforming uses.

The Zoning Map was amended in 2003 and the subject area was changed from R4B to R1MS. Prior to 2003, R4B would allow single- and two-family dwellings, provided that the lot in question met the dimensional requirements. In order to build a single family dwelling, the lot shall be 50' wide with a lot area of 5,000 square feet. In order to build a two-family dwelling unit in the R4B District, the lot in question has to be 75 feet in width with a lot area of 7,400 square feet. It does not appear any parcels within the subject area satisfy either the lot width or lot area to build a two-family dwelling unit.

In considering a Zoning Map Amendment, the Oxford Zoning Code provides criteria for the Planning Commission to consider ensuring the deliberation will be consistent for all requests. The Commission needs to consider whether there was an error on the Zoning map; whether the proposed amendment will make the map more conforming with the Comprehensive Plan; there has been a substantial change in area conditions that requires the amendment; and that there is a legitimate need for additional land area in the zoning district that will be expanded. The amendment shall be approved if it meets at least one criterion, and if its benefit will likely outweigh any potential pitfall.

As noted earlier, the Character Map contained in the Comp Plan shows this area identified as General Neighborhood 1 that is typified by traditional urban development consisting of detached single-family houses on small lots, which may also include some multi-family and mixed-use type development. It is also typified by a block pattern and alley use. Additionally, the Concept area map of the Comp plan also highlights this area to be a Neighborhood Enhancement area that encourage stabilize and enhance existing neighborhoods within the Mile Square. This area is not being identified differently than other parts of the Mile Square in terms of enhancement. The issue of conformance to Comp Plan with the proposed amendment could not be supported. Additionally, the error on the Zoning Map cannot be substantiated.

The third criteria are to ascertain whether the condition of this area has gone through substantial changes that necessitate the request. Based on the narrative by the Applicant, the idea is to eliminate the nonconforming status by reducing occupancy. This would seem to be an opposite reasoning to "up" the zoning of the area. Furthermore, it does not appear the area has gone through significant changes in the last twenty years.

The last criteria are where there is a legitimate need for additional land area for this zoning district. The application does not provide any information related to the needs of this zoning district.

Eliminating nonconforming use as a laudable effort from this application and that process is currently included in the nonconforming chapter of the Zoning Code. However, the Planning Commission must determine whether the request meets at least one of the criteria. Unfortunately, from a Staff perspective, it does not appear this request has crossed that threshold based on the information provided.

RECOMMENDATION

Staff cannot find evidence from the submittal to determine one of the Decision Standards' criteria has been met. Therefore, staff cannot make a positive recommendation to this request.

SUBMITTED

BY: Jung Han Chen
Jung-Han Chen

DATE: October 1, 2013

ATTACHMENT

Chapter 1135 Zoning Code Amendments

- (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.

1129.06 R-4B URBAN MULTIPLE-DWELLING DISTRICT.

(a) **Purpose.** It is the purpose of the R-4B District to encourage the establishment and preservation of residential neighborhoods characterized by one-family and two-family dwelling units per lot in the two-family residential districts located in that portion of Oxford which is described in Section 2.11(4) of the Oxford City Charter. These requirements permit development of approximately eleven units per net acre.

(b) **Principal Permitted Uses.** No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Chapter 1133.

Single-family dwellings

Two-family dwellings

Accessory uses

Home occupations

Plant cultivation

Signs as permitted by Section 1135

Type B family day-care home (see Section 1121.01)

Family community residences. The owners, sponsoring agency or residents must obtain a zoning permit prior to establishing a family community residence. No dwelling unit shall be occupied as a family community residence until a zoning permit has been issued by the Zoning Administrator. No zoning permit shall be issued for a family community residence unless:

The family community residence is located at least 891 feet from any existing community residence as measured from lot line to lot line.

A zoning permit is not transferable to another owner, sponsoring agency or residents or to another location.

Applicants are encouraged to obtain or apply for State licensing or certification or local licensing or certification. Possession of a license or certificate shall be a presumption that the residents are handicapped.

Group community residences. The owners, sponsoring agency or residents must obtain a zoning permit prior to establishing a group community residence. No dwelling unit shall be occupied as a group community residence until a zoning permit has been issued by the Zoning Administrator. No zoning permit shall be issued for a group community residence unless:

The group community residence is located at least 891 feet from any existing community residence as measured from lot line to lot line.

A zoning permit is not transferable to another owner, sponsoring agency or residents or to another location.

Applicants are encouraged to obtain or apply for state licensing or certification or local licensing or certification. Possession of a license or certificate shall be a presumption that the residents are handicapped.

Community residences. The owners, sponsoring agency or residents must obtain a zoning permit prior to establishing a community residence. No dwelling unit shall be occupied as a community residence until a zoning permit has been issued by the Zoning Administrator. No zoning permit shall be issued for a community residence unless:

The number of residents with handicaps does not exceed 12 persons plus staff.

The community residence is located at least 891 feet from any existing community residence as measured from lot line to lot line.

A zoning permit is not transferable to another owner, sponsoring agency or residents or to another location.

Applicants are encouraged to obtain or apply for state licensing or certification or local licensing or certification. Possession of a license or certificate shall be a presumption that the residents are handicapped. (Ord. 2745. Passed 2-5-02.)

(c) Additional Uses. Council by special action may authorize additional uses in the R-4B district which are otherwise prohibited or limited. Council may impose appropriate conditions and safeguards which may include a specified time period for the permit in order to preserve the Comprehensive Plan and protect the character of the neighborhood. Procedures for obtaining permission for an additional use are described in Section 1129.13. The only additional uses which are eligible for consideration in the R-4B district are listed below:

Parks

Public uses

Semipublic uses

Public service facilities

Planned unit development (See Section 1129.15)

Recreational facilities, noncommercial

Nursing home

Professional office building

Office and professional office

Clinics

Type A family day-care home and child day-care center (see Section 1121.01)

(Ord. 2175. Passed 8-20-91.)

(d) Minimum Requirements.

(1) Dimensional requirements:

	Lot Width	Lot Area/ Dwell Unit Sq. Ft.	Front Yard	Rear Yard	Side Yard	Side Yard	Max % Lot Cvg	Max Hgt.
1-Fam	50'	5,000	*30'	35'	7.5'	15'	33%	3 stories, not to exceed 35'
2-Fam	75'	3,700	*30'	30'	7.5'	15'	33%	"
Fam	50'	5,000	*30'	35'	7.5'	15'	33%	"
Comm								
Res								
Group	75'	7,500	*30'	35'	7.5'	15'	33%	"
Comm								
Res								
Comm	90'	9,000	*30'	35'	15.0'	30'	33%	"
Res								

- A. Where a lot is a corner lot, the yard requirements along each street shall not be less than 30 feet and the rear yard shall not be less than that required for the smallest side yard or ten feet, whichever is larger.
- B. Every single-family dwelling shall have a minimum total floor area per unit of not less than 750 square feet, for one story or 1,000 square feet for a more than one story building. Each unit in a two-family dwelling shall have a total floor area of 500 square feet or 800 square feet for each unit having more than one story.
- C. * A 40 foot setback shall be required on a major street.
- D. Where a platted front yard or side yard exceeds the minimum requirements of this section, the greater dimension as shown on the plat shall be required.
- E. On any lot having as a portion of its area, land vacated by Ordinance No. 103, the use of that vacated portion shall be restricted to lawn, landscaping and sidewalks.
- F. A Type A family day-care home, a Type B family day-care home and a child day-care center shall meet the minimum dimensional requirements for a single-family residence as established by subsection (d)(1) hereof.
(Ord. 2745. Passed 2-5-02.)

1129.07 R-5 UNIVERSITY DISTRICT.

(a) Purpose. It is the purpose of the R-5 District to encourage the establishment and the preservation of residential neighborhoods characterized by one and two family dwellings and fraternity houses. These requirements permit development of approximately eleven units per net acre.

(b) Principal Permitted Uses. No building, structure or land shall be used and no building or structure be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Chapter 1133.

Fraternity or sorority houses

Single-family dwellings

Two-family dwellings

Institutions of higher learning, including appurtenant uses such as administrative offices

Accessory uses

National headquarters for fraternities or sororities

Home occupation

Plant cultivation

Signs, as permitted by Section 1135

Type B family day-care home (see Section 1121.01)

Family community residences. The owners, sponsoring agency or residents must obtain a zoning permit prior to establishing a family community residence. No dwelling unit shall be occupied as a family community residence until a zoning permit has been issued by the Zoning Administrator.

No zoning permit shall be issued for a family community residence unless:

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 1, 2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-14-2013 MAP AMENDMENT, the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, totaling approximately 2 acres, including rights of ways, to be rezoned from R1MS (Single-Family Mile Square Residential) District to R2MS (Single- and Two-Family Mile Square Residential) District, Scott Webb, Applicant, Agent

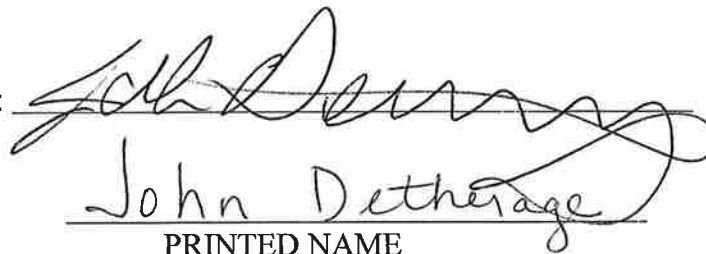
☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **10/3/13** 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: 10-3-13

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 1, 2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-14-2013 MAP AMENDMENT, the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, totaling approximately 2 acres, including rights of ways, to be rezoned from R1MS (Single-Family Mile Square Residential) District to R2MS (Single- and Two-Family Mile Square Residential) District, Scott Webb, Applicant, Agent

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **10/3/13** 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: 10-1-13

VICTOR POPESCU
PRINTED NAME

RECEIVED

OCT - 1 2013

City of Oxford
Engineering Division

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 1, 2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

PC-14-2013 MAP AMENDMENT, the south half of the city block bounded by West Collins Street, South College Avenue, West Walnut Street and South Beech Street, totaling approximately 2 acres, including rights of ways, to be rezoned from R1MS (Single-Family Mile Square Residential) District to R2MS (Single- and Two-Family Mile Square Residential) District, Scott Webb, Applicant, Agent

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **10/3/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

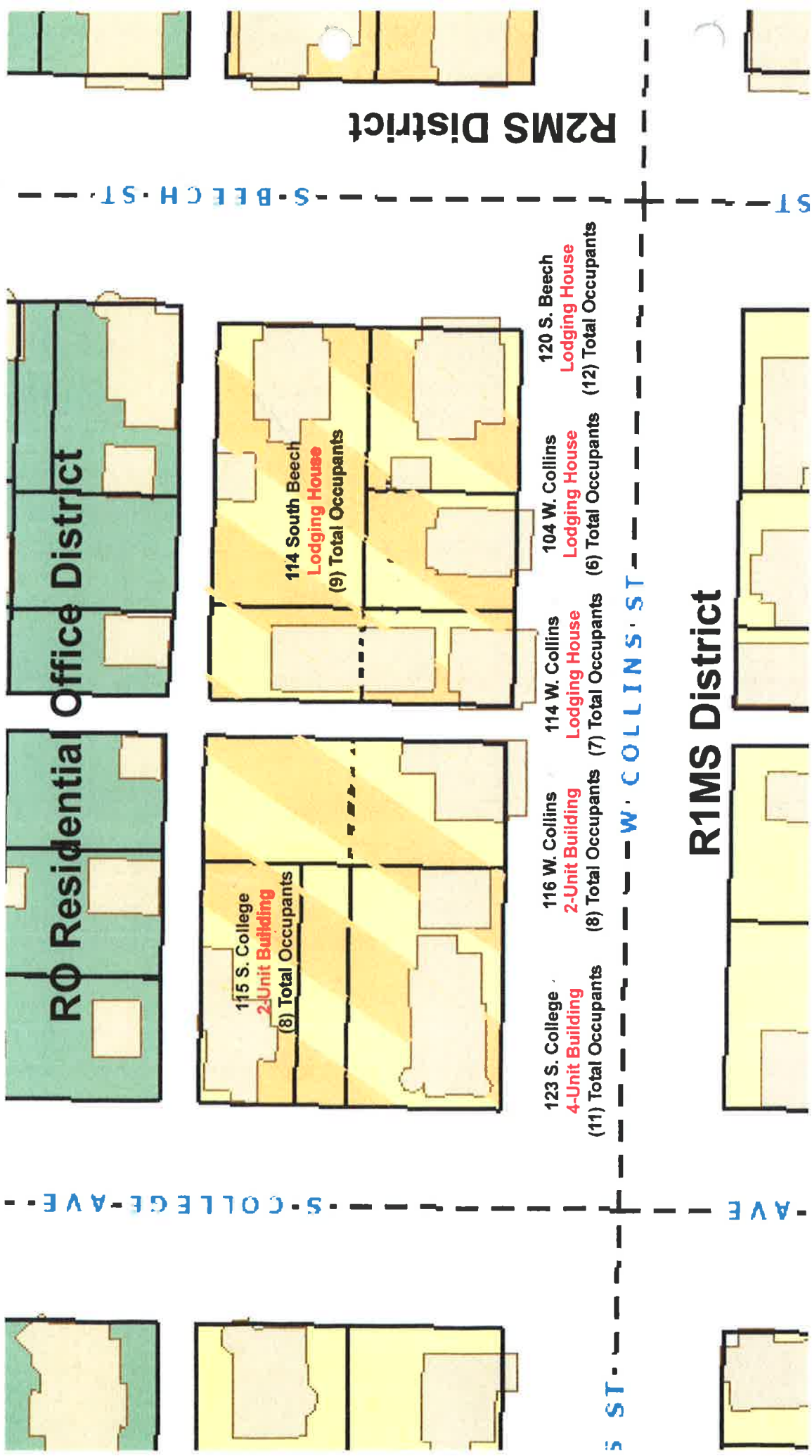
NO IMPACT ON OPD

Drawings reviewed by: LT. Horvath

Date: 10/2/13

Tom Horvath

PRINTED NAME



Occupancy Plan ✓

Showing Existing Uses and Approved Rental Permits

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for the Zoning Map Amendment for our properties at 114 South Beech Street, 120 South Beech Street, 104 West Collins Street, and 114 West Collins Street at Planning Commission and City Council.

Thank-you,

Signed: 
(Mitch Mesler)
(Myron Mesler Trust)

8-23-13
Date:

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for the Zoning Map Amendment for our property at 115 South College Avenue at Planning Commission and City Council.

Thank-you,

Signed:

(Matt Rodbro)

(Mile Square Preservation LLC)

8/23/2013
Date:

LETTER OF AGENCY

To Whom It May Concern:

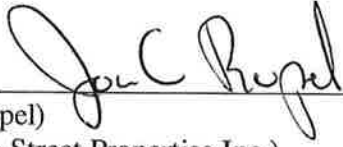
Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for the Zoning Map Amendment for our property at 123 South College Avenue at Planning Commission and City Council.

Thank-you,

Signed: _____

(J.C. Rupel)

(College Street Properties Inc.)

A handwritten signature in black ink, appearing to read "J.C. Rupel", written over a horizontal line.

8/22/2013

Date:

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford and act on our behalf for the Zoning Map Amendment for our property at 116 West Collins Street at Planning Commission and City Council.

Thank-you,

Signed: Tom Kachos
(Tom Kachos)
(Hoelzer & Hoelzer Rentals)

8/27/2013
Date:

Zoning Map Amendment Application
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Applicant:

Scott Webb, Architect

(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

103 W. Walnut St.

Oxford, Oh. 45056

Telephone Number(s)

523-3328

Email Address

scottwebbarchitect.com

Location of Property:

123 S. College + neighboring properties

(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)

Legal Description:

Total Area:

Acres / Square Feet (circle one)

Existing Use of Property:

4-Family Residential

Current Zoning:

RZMS

Proposed Zone(s):

RZMS

Proposed Use:

2-Family Residential

SUBMISSION REQUIREMENTS

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT:

Scott Webb

Date:

8/23/13

PRINTED NAME:

Scott Webb

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number:

11461.3

Jung-Han Chen
Community Development Director
City of Oxford
Municipal Building
101 E. High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Application for Zoning Map Amendment
100 Block, West Collins Street
Oxford, Ohio

August 22, 2013

Dear Mr. Chen,

Please accept this letter as a formal request for a review hearing by the City of Oxford Planning Commission and Oxford City Council for a Zoning Map Amendment for the Southern half of the 100 block of West Collins Street. The proposed Zoning Map Amendment will change the affected properties from R1MS to R2MS

This proposal affects (7) parcels, owned by (4) different entities and is supported by all property owners. Letters of Agency have been provided by all affected property owners.

Statement responding to questions posed on the Application.

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

- A. *What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?*

The Comprehensive Plan refers to this area as part of the Mile Square "Neighborhood 1" in "Developable Character Area" with specific recommendations to preserve the character, street grid and walkability of this area. As the area in question currently houses two-family residences, lodging houses, and a multi-family home, the current single family designation does not address the actual uses in the area, nor its potential for redevelopment.

- B. *How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.*

A zoning change in this area will affect the properties in the neighborhood, by making some non-conforming properties more conforming and allow for the preservation and/or reconfiguration of others.

- C. *How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?*

Public facilities will not be affected, as the area is already developed, supporting more residents than the current Zoning allows.

- D. What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).*

Four of the (7) affected properties already have approved occupancies above what would be allowed by the Zoning change in non-conforming rooming houses or grandfathers 2-family structures.

- E. Why is the current zoning classification of the property no longer appropriate?*

The current zoning does not reflect the uses or occupancy of the area. Currently designated as R1MS, none of the affected properties are owner occupied, and based on their location, will likely never return to single family uses.

Further, recent changes in the Zoning Code restrict the improvement of these properties. While occupancy reduction is required for any redevelopment of these properties, the effect of the current Zoning Code is to perpetuate the non-conforming lodging houses.

115 South College & 116 West Collins

Two properties in this area are already approved as 2-family residences with (8) total occupants. These properties would become conforming, but would otherwise be unaffected.

114 South Beech, 120 South Beech, 104 West Collins, & 114 West Collins Streets

Four of the properties in question are currently Lodging Houses, which are no longer a permitted use anywhere in the City. As it is currently written, these property owners are allowed to reconfigure their properties with a 30% reduction in occupancy, but are prohibited from changing these houses to 2-family residences, thereby ensuring the non-conforming Lodging House use will remain.

Taking the required 30% reduction in occupancy would change these from (9) approved down to (6), (12) down to (8), (6) down to (4), and (7) down to (5) respectively.

While theoretically, changing the Zoning designation to R2MS could allow an additional occupant in two buildings, this would be otherwise addressed by parking requirements, lot width, lot coverage, etc., effectively prohibiting this increase, unless all requirements of the underlying Zoning District are met.

123 South College Ave.

In the case of the single 4-unit building in this area, the property owner is required to reduce the occupancy of the building from (11) persons to (8) but is required to maintain the 4-units, or be forced to reduce the occupancy to (4).

This property is one of Oxford's most unique and stately historic houses. As with many homes of this type, the interior has been divided haphazardly over the years, to create additional apartment units. Some of these units have little or no common space and inadequate kitchens and bathrooms. To require that four units must remain after a 30% required occupancy reduction is not a reasonable solution.

The new owner of this property is interested in the preservation of this historic home, and feels the best way to do that is to decrease the number of apartments in the building while reducing

the occupancy 30% as required. This however is currently prohibited by the latest revision of the Zoning Code, leaving a Zoning Map amendment as the only means to achieve this goal.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Webb', written over a horizontal line.

Scott Webb, Architect

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: November 4, 2013

Account Code #: N/A

Budgeted Amount: \$ N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

October 28, 2013
Date Prepared

Agenda Title: Renewal of Utility Franchise for Butler Rural Electric Cooperative, Inc.

Recommendation: Approval

Discussion:

On September 19, 1989, the Oxford City Council passed Ordinance No. 2057 granting Butler Rural Electric Cooperative, Inc. (BREC) a franchise to deliver electric power and energy to defined areas within the City for a period of 25 years. A copy of the Ordinance is attached to this report and labeled "Exhibit A".

Attorneys for BREC have been working with the City Law Director to renew the franchise Ordinance for another 25 year period. Language in the new franchise is substantially the same as the language passed in 1989. The Law Director provides a synopsis of the proposed Ordinance that is also attached to this report and labeled "Exhibit B".

Passage of the Ordinance shall require a 2/3 majority of Council (5 votes) to award a franchise.

Approved By:

Department Head:

Initial Date
MBD 10/29/13

City Manager:

DRE 11/1/13

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO BUTLER RURAL ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR THE DISTRIBUTION OF ELECTRIC POWER AND ENERGY TO PARTS OF THE CITY OF OXFORD, OHIO, WHICH ARE PRESENTLY WITHIN SAID COOPERATIVE'S SERVICE AREA AND FOR THE TRANSMISSION OF ELECTRICITY WITHIN SAID CITY.

BE IT ORDAINED BY AT LEAST TWO-THIRDS (2/3RDS) OF THE COUNCIL OF THE CITY OF OXFORD, STATE OF OHIO, THAT:

SECTION 1. Butler Rural Electric Cooperative, Inc. and its successors and assigns (hereinafter called "Grantee") are hereby granted the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the City of Oxford, State of Ohio, and its successors (hereinafter called "City"), lines for the distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances to render public utility service in the City and to the inhabitants thereof by supplying electric power and energy to the City and to the inhabitants thereof, and to persons or entities beyond the limits thereof, for light, heat, power or any other purposes or purpose for which electric power and energy is now or may hereafter be used, and the transmission of the same within, through or across the City; provided, however, that Grantee shall provide electric service hereunder only within: (1) the area or areas of the City either presently being provided electric service by Grantee, or which, at the date of this ordinance or any time thereafter, is included in the area or areas shown on maps filed with the Public Utilities Commission of Ohio which indicate the certified territory of the Grantee established pursuant to Sections 4933.81 to 4933.90 of the Revised Code of Ohio, and (2) any other area or areas annexed to the City after the date of this ordinance any portion of which is either being provided electric service by Grantee at the time of such annexation, or which, at the

time of such annexation or at any time thereafter, is included within the Grantee's aforementioned certified territory.

SECTION 2. That said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges and public places of the City. The location of all poles and conduits shall be made under such reasonable supervision of the proper board or committee of the City government as permitted by law.

SECTION 3. That the rights, privileges and franchise hereby granted shall be in full force and effect for a period of Twenty-five (25) years from the date of the passage of this ordinance.

SECTION 4: The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Council of the City hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION 5. Said Grantee shall save the City harmless from any and all liability arising in any way from any and all negligence of Grantee in the acquisition, construction, erection, maintenance or operation of said lines for the distribution or transmission of electric power and energy.

SECTION 6. Whenever said Grantee shall begin the erection of any lines or equipment it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

SECTION 7. Wherever in this ordinance, reference is made to the City or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges and obligations herein contained by or on behalf of said City, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors and assigns of said City, or of said Grantee, whether so expressed or not.

SECTION 8. If, during the franchise period, the City constructs, alters or relocates public property, including sewer lines, water lines or other utilities owned by it, the Grantee shall, within a reasonable time after receiving written request from the City Manager, move or relocate company property as requested by the City; but the Grantee shall not be required to terminate any service provided by its facilities. The Grantee shall have the right to reimbursement for such moving or relocation from private owners and private applicants but shall not be entitled to reimbursement when such moving or relocation is done at the request of the City and is relative to City sewer lines, city water lines, City buildings located upon real estate that is or will be tax exempt, City streets, City curbs, alleys, gutters and/or City sidewalks.

SECTION 9. That this ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of the same.

MAYOR

ADOPTED:

ATTEST: _____

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY LAW (STAFF)

ORDINANCE NO. 2057

AN ORDINANCE GRANTING TO BUTLER RURAL ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR THE DISTRIBUTION OF ELECTRIC POWER AND ENERGY TO PARTS OF THE CITY OF OXFORD, OHIO, WHICH ARE PRESENTLY WITHIN SAID ASSOCIATION'S SERVICE AREA AND FOR THE TRANSMISSION OF ELECTRICITY WITHIN SAID CITY.

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

SECTION 1: Butler Rural Electric Cooperative, Inc., its successors and assigns (hereinafter called "Grantee") are hereby granted the right, privilege, franchise and authority to acquire, construct, reconstruct, maintain, repair and remove and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places (as the same now exist or may hereafter be laid out) of the City of Oxford, State of Ohio, and its successors (hereinafter called "City"); lines for the distribution of electric power and energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances to render public utility service in the city and to the inhabitants thereof, and to persons or corporations beyond the limits thereof, for lights, heat, power or any other purposes or purpose for which electric power and energy is now or may hereafter be provided, however, that Grantee shall provide electric service hereunder only within: (1) the area or areas of the city either presently being provided electric service by Grantee, or, at the date of this ordinance, included in the area shown on maps issued by the Public Utilities Commission of Ohio which indicate the certified territory of the Grantee established pursuant to said map; (2) any other area or areas annexed to the city after the date of this ordinance, any portion of which is either being provided electric service by Grantee at the time of such annexation, or which at the date of this ordinance is included within the Grantee's aforementioned certified territory.

SECTION 2: Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges and public places. The location of all poles or conduits shall be made under the supervision of the City government.

SECTION 3: The rights, privileges and franchise hereby granted shall be in force and effect for a period of 25 years starting June 7, 1988.

SECTION 4: The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Council of the City hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION 5: Said Grantee shall defend and save the City harmless from any and all liability arising in any way from negligence in the acquisition, construction, reconstruction, erection, maintenance or operation of said lines for the distribution or transmission of electric power and energy.

SECTION 6: Whenever said Grantee shall begin the construction or erection of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges and public places where such work is done in as good condition of repair as before such work was commenced. The Grantee shall not encumber public property by temporary obstructions or excavations any longer than shall be necessary for the accomplishment of such purposes.

SECTION 7: If, during the franchise period, the City constructs, alters or relocates public property, including sewer lines, water lines or other utilities owned by it, the Grantee shall, within a reasonable time after receiving written request from the City Manager, move or relocate company property as requested by the City; but the Grantee shall not be required to terminate any service provided by its facilities. The Grantee shall have the right to reimbursement for such moving or relocation from private owners and private applicants but shall not be entitled to reimbursement when such moving or relocation is done at the request of the City and is relative to City sewer lines, City water lines, City buildings located upon real estate that is or will be tax exempt, City streets, City curbs, alleys, gutters and/or City sidewalks.

SECTION 8: Wherever in this ordinance reference is made to the City or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges and obligations herein contained by or on behalf of said City, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said city, or of said Grantee, whether so expressed or not.

SECTION 9: This ordinance shall be accepted by the Grantee within 60 days from the date of the passage of the same.

SECTION 10: This ordinance shall take effect at the earliest date allowed by law.



MAYOR

ADOPTED: September 19, 1989

ATTEST: Rhonda L. Edds
DEPUTY CLERK OF COUNCIL

LAW (Staff)



COOLIDGE WALL

A Legal Professional Association

Jonas J. Gruenberg
Merle F. Wilberding
J. Stephen Herbert
R. Scott Blackburn
Richard A. Schwartz
Sam Warwar
Terence L. Fague
Richard A. Talda
R. Brent Gambill
C. Mark Kingseed
David C. Korte
Kristin A. Finch
David P. Pierce
Shannon L. Costello
Christopher R. Conard
Marc L. Fleischauer
Michelle D. Bach
Gregory M. Bwers
Daniel J. Gentry
Patricia J. Friesinger
Joshua R. Lounsbury
Michael G. Leesman
Stephen M. McHugh
Edie E. Crump
Allison D. Michael
Nicholas A. Heppner
Sasha A. M. VanDeGrift
W. Chip Herin III
Anne K. Thompson
Amy N. Blankenship

William H. Seall
Glenn L. Bower
John C. Chambers
Of Counsel

J. Bradford Coolidge
1886-1965

Hugh E. Wall, Jr.
1912-2001

Ronald S. Pretekin
1942-2011

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937-223-8177
Fax: 937-223-6705
www.coollaw.com

Direct Dial Number
937-449-5544

E-mail Address:
mchugh@coolaw.com

October 24, 2013

VIA ELECTRONIC MAIL

Douglas R. Elliott, Jr.
City Manager
City of Oxford
101 E. High Street
Oxford, OH 45056

Re: Butler Rural Electric Cooperative, Inc.

Dear Doug:

Enclosed please find a copy of an ordinance prepared by Butler Rural Electric Cooperative, Inc., requesting a new franchise for twenty-five (25) years to allow the Cooperative to continue serving those areas of the City presently being provided electric by the Cooperative. The attorney for the Cooperative contacted my office and provided a draft ordinance for franchise. The current franchise expires at the year of this year. Franchises must be approved by two-thirds (2/3rds) of Council. Additionally, an ordinance approving a utility franchise may not be adopted as an emergency. In order to meet the deadline for extension of their existing franchise, the ordinance will need to be placed on the agenda for a first reading on November 4th.

The franchise is not exclusive and does not limit or restrict the City from granting similar rights, privileges and franchises to other companies within the City. The ordinance does hold the City harmless from any and all negligence from the Cooperative in the acquisition, construction, erection, maintenance or operation for distribution or transmission of electric power and energy.

One other important term of the ordinance is the provision that should the City relocate sewer lines, water lines, or other utilities, or relocate other City property the Cooperative agrees at no cost to the City to relocate its facilities (power poles and power lines).

Please give me a call with any questions or comments you have on the enclosed.

COOLIDGE WALL

A Legal Professional Association

Douglas R. Elliott, Jr
October 24, 2013
Page 2

Sincerely yours,



Stephen M. McHugh

SMM/kah
Enclosure

cc: Joseph Newlin, Finance Director
Michael Dreisbach, Service Director
Mary Ann Eaton, Clerk of Council

w:\wdox\client\012081\00100\00650332.docx

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Service Department
Originating Department

City Council Meeting of: November 18, 2013

Michael B. Dreisbach
Prepared By

Account Code #: Not Applicable

September 25, 2013
Date Prepared

Budgeted Amount: Not Applicable

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US27 South
But 27-14.12 PID # 81769 *Ordinance***

Recommendation: Approve

Discussion:

The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 South. These improvements will widen the roadway and create turning lanes at intersections as well as paved shoulders for the length of the project. Improvements will also include the construction of curb/gutter, a stormwater sewer system, sidewalks on both sides of the roadway, improved street lighting and traffic control, and the addition of street tree plantings.

The City has evaluated the need for ROW acquisition on approximately 40 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are fifteen owners that have not yet come to an agreement with the City.

The City contracted with Heritage Land Services to oversee fair market value negotiations with property owners impacted by this project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the fifteen properties that have not been resolved, Fair Market Value (FMV) estimates range from \$540 to \$109,733. Should all of the properties settle for FMV, the cost is estimated at \$321,649.

Service Department staff recommends moving forward with appropriation proceedings so that we may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on February 6, 2014, and awarding a construction contract shortly thereafter. The latest project estimate as prepared by ODOT is \$6,931,000 (excluding construction engineering costs from ODOT).

It is Staff's recommendation that the City Council authorize the City Manager or Law Director to take all actions necessary to acquire necessary ROW for this project and to deposit the amounts noted in the parcel's Fair Market Value Estimate with the Butler County Clerk of Courts pending litigation to resolve outstanding property value and damage claims.

Approved By:

Department Head:

Initial MBD Date 11/12/13

City Manager:

DAF 11/15/13

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE FOR PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT 4205 MILLVILLE-OXFORD ROAD FOR THE PURPOSE OF ACQUIRING PERMANENT AND TEMPORARY RIGHTS-OF-WAY TO CONSTRUCT AND WIDEN MILLVILLE-OXFORD ROAD (U.S. 27).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION 1: The City Council of Oxford, Ohio by Resolution No. 4775 passed September 17, 2013 declared its intention to appropriate certain real property hereinafter described as a permanent and temporary rights-of-way for construction for the purpose of widening of Millville-Oxford Road which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate has been served upon the owner of, person in possession of, or person having a record interest in the said property according to law, and a return of service has been made to the City. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION 2: The City's acquisition of a fee interest and temporary interest in the real property described in Section 3 here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use in accordance with the Ohio Constitution and the laws of the state of Ohio. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION 3: That the lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, are located at 4205 Millville-Oxford Road, Oxford Ohio 45056, and include the following:

Permanent Take of Parcel 151-WD BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

Temporary Easement over Parcel 151-T BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

SECTION 4: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION 5: The value of said appropriated real property, including any residual damages, has been appraised at \$5,390.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

EXHIBIT A

LPA RX 851 WD

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Rev. 06/09

Ver. Date 10/15/12

PID 81769

**PARCEL 151-WD
BUT-27-14.12
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
"CITY OF OXFORD, BUTLER" COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of a 0.390 acre tract conveyed to Sheryle Anne Lancaster as recorded in Deed Volume 1714, Page 653, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the left side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at a point at the southeast corner of said section 26, said point be witnessed by an iron pin (found) that bears South 86 degrees 05 minutes 40 seconds East 59.89 feet; Thence, with the south line of said section 26, North 88 degrees 24 minutes 26 seconds West, for a distance of 842.91 feet to a point, said point being 31.09 feet right of centerline of survey station 222+73.19; Thence, with the south line of said section 26, North 89 degrees 37 minutes 27 seconds West, for a distance of 36.10 feet to a point, said point being 1.08 feet right of centerline of survey station 222+93.26; Thence, North 33 degrees 26 minutes 42 seconds West, for a distance of 30.15 feet to a point, said point being 1.07 feet right of centerline of survey station 223+23.41; Thence, South 88 degrees 45 minutes 55 seconds West, for a distance of 53.18 feet to a point on the west existing right of way for U.S. 27, said point being 43.95 feet left of centerline of survey station 223+51.74, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

EXHIBIT A

LPA RX 851 WD

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Rev. 06/09

Thence, South 88 degrees 45 minutes 55 seconds West, along the grantor's south line, for a distance of 13.05 feet to an iron pin, said pin being 55.00 feet left of centerline of survey station 223+58.69;

Thence, North 33 degrees 24 minutes 36 seconds West, across the grantor's tract, for a distance of 114.88 feet to an iron pin, on the grantor's north line, said pin being 55.00 feet left of centerline of survey station 224+73.57;

Thence, North 75 degrees 08 minutes 42 seconds East, along the grantor's north line, for a distance of 11.58 feet to a point, on the grantor's north line, said point being 44.02 feet left of centerline of survey station 224+69.89;

Thence, South 33 degrees 26 minutes 42 seconds East, along the west existing right of way for U.S. 27, for a distance of 118.15 feet to the **TRUE POINT OF BEGINNING**, containing 0.030 acres.

It is understood that the parcel of land described contains, 0.030 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-112-000-010.

All iron pins set are 5/8 inch x 30 inch rebar with an orange cap stamped "LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC."

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Deed Volume 1714, Page 653 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
REVIEWED & APPROVED
Date
BY: *[Signature]*
DATE: 1-25-13

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/15/12

PID 81769

**PARCEL 151-T
BUT-27-14.12
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
TO COMPLETE GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF OXFORD, BUTLER," COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of a 0.390 acre tract conveyed to Sheryle Anne Lancaster as recorded in Deed Volume 1714, Page 653, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the left side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at an iron pin on the west proposed right of way for U.S. 27, said pin being 55.00 feet left of centerline of survey station 223+58.69, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, South 88 degrees 45 minutes 55 seconds West, along the grantor's south line, for a distance of 10.15 feet to a point, said point being 63.59 feet left of centerline of survey station 223+64.09;

Thence, North 27 degrees 41 minutes 58 seconds West, across the grantor's tract, for a distance of 36.09 feet to a point, said point being 60.00 feet left of centerline of survey station 224+00.00;

Thence, North 33 degrees 24 minutes 36 seconds West, across the grantor's tract, for a distance of 50.00 feet to a point, said point being 60.00 feet left of centerline of survey station 224+50.00;

Thence, North 56 degrees 35 minutes 24 seconds East, across the grantor's tract, for a distance of 5.00 feet to a point on the west proposed right of way for U.S. 27, said point being 55.00 feet left of centerline of survey station 224+50.00;

Thence, South 33 degrees 24 minutes 36 seconds East, along the west proposed right of way, for a distance of 91.31 feet to the **TRUE POINT OF BEGINNING**, containing 0.012 acres.

EXHIBIT A

LPA RX 887 T

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It is understood that the parcel of land described contains, 0.012 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-112-000-010.

All iron pins set are 3/4" x 30" rebar with 2" aluminum cap stamped "ODOT R/W-District 8".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Deed Volume 1714, Page 653 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/04/13

Heidi Hill
Prepared By

Account Code No. #: NA

Budgeted Amount: NA

10/30/13
Date Prepared

Agenda Title: 2014 Fee Ordinance

Recommendation: Approve

Discussion:

This memo explains the modifications to the current city code as reflected in the accompanying fee ordinance. Additions, changes, or deletions in the ordinance are shown as follows:

- Additions are in bold
- Deletions are in strikeout type
- Fees not changed are in normal type

Any questions regarding fee changes should be directed to the respective department head.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 10/30/13
[Signature] 11/1/13

ORDINANCE NO.

ORDINANCE ADOPTING FEES AND CHARGES FOR FISCAL YEAR 2014.

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

SECTION 1: The City Manager recommends the Council adopt fees for 2013 as itemized below.

A. RECREATION DEPARTMENT (A resident lives or works in the City of Oxford.)

	<u>\$ Amount</u>	<u>\$ Amount</u>		
<u>1) FITNESS</u>	<u>Residents</u>	<u>Non-residents</u>		
Drop-in-fees	4.00 4.50	4.50 5.00		
Aerobics per class	3.50 3.75	3.75 4.00		
 <u>2)WEIGHT ROOM FEES</u>				
Adults				
1 Year	95.00 100.00	105.00 115.00		
6 Months	80.00 85.00	90.00 95.00		
3 Months	70.00	80.00		
1 Month	30.00	35.00		
Drop-ins	4.00 5.00	4.50 5.50		
 High School				
1 Year	60.00	66.00		
6 Months	50.00	55.00		
3 Months	45.00	50.00		
1 Month	25.00	30.00		
Drop-ins	4.00	4.50		
 <u>3) PRESCHOOL</u> (per week)				
Mon/Wed/Fri	35.00	39.00		
Tues/Thurs	25.00	29.00		
 <u>5) PLAYGROUND/SUMMER DAY CAMPS</u> 10 WKS.				
Daily	30.00	33.00		
each additional child in family	27.00	30.00		
Weekly	95.00	105.00		
each additional child in family	90.00	99.00		

6) DAY CAMPS

Half-day:

Pre-school camps	65.00	76.00
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7) YOUTH SPORTS LEAGUES

Basketball (11 wks)

Instructional League, Grade K	46.00	52.00
Competitive League, Grade 1-2	60.00	66.00
Competitive League, Grade 3-10	72.00	75.00 80.00 83.00

8) ADULT SPORTS LEAGUES

Adult softball	400.00
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Tournament	110.00
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9) RENTAL FEES

Municipal pool

Pool rental, per hour (minimum 2 hours)	50.00	55.00
Guard fee, per hour	10.00	11.00 12.00 13.00

Athletic Field Rental Fees

Per game, per field (rental)	25.00	30.00
Per game, per field (prep)	30.00	35.00
Per hour, per field (lights)	30.00	35.00
Per day, per field (Rental)	110.00	175.00

Community Park Gazebo Rental (Minimum 2 hours)	25.00	30.00
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Leonard Howell, TRI Shelter	Half Day	25.00	30.00
	Full Day	50.00	55.00

Electric Tap Fee	50.00	(First 3 hours)
(Large machines such as ice machine Inflatable's, etc.)	25.00	(Each additional hour)

10) MUNICIPAL POOL

Season pool passes

Family (5 or less)	130.00	145.00
Family (6 or less)	135.00	150.00
Adult	95.00	105.00
High School	75.00	85.00
Child over 3 years	70.00	80.00

General admission

Adult	4.00	4.00
Age 13-17	3.75	3.75
Age 3-12	3.00	3.00
2 and under Free		

Swimming lessons

Parent/toddler (6 mo. - 5 yr.)	33.00	36.00
Skill Level I and II	35.00	39.00
Skill Level III thru IV	38.00	42.00

11) SENIOR CITIZEN CENTER RENTAL

(minimum 2 hour rental)

60/hr includes kitchen/great room

Special events and specialty class fees are established to cover the direct cost of each class/activity offered.

B.COMMUNITY DEVELOPMENT DEPARTMENT

1) ADMINISTRATIVE ZONING REVIEW

Building Accessory, Minor Improvements

Residential	15.00 20.00
Commercial	20.00 25.00
One or Two-Family Residential	25.00 per unit
Three-Family or more Residential	25.00 per unit
Commercial	200.00 per unit
Sidewalk Use Permit	50.00
Signs (per sign)	25.00 per sign plus \$1 per sq. ft. per side
Face changes of signs	25.00
Zoning verification letter	35.00

2) BOARD OR COMMISSION REVIEW

GENERAL FEES FOR ALL BOARDS AND COMMISSIONS

Significant changes to original application may be subject to new fees as determined by the Community Development Director at a cost not to exceed original application.

(Revisions beyond the 3rd submittal, requiring planning or engineering review, will be charged a re-review fee per review.) 30.00

List of property owners for notification purposes 30.00

PLANNING COMMISSION

Conditional Use Permits	400.00 plus actual postage
Alternate Landscaping Plan	25.00
Annexation	
100% owner petition	300.00 plus 1.00 per acre
Conceptual Review	No fee
Lot Changes	
Subdivision Development	
Preliminary	400.00 plus 10.00 per lot, plus actual postage
Final	400.00 plus 10.00 per lot, plus actual postage
Planned Development	
Preliminary	400.00 plus 100.00 per acre, plus actual postage
Final	400.00 plus 100.00 per acre, plus actual postage
Minor Amendment	50.00
Lot Consolidation	20.00
Lot Split	20.00
Zoning Amendments	
Code (per topic)	150.00, plus actual postage
Map	150.00, plus actual postage
All other for Planning Commission	
Review at public meeting only	25.00
Requiring one or more legal notices	100.00

HISTORIC & ARCHITECTURAL PRESERVATION COMMISSION

Certificate of Appropriateness	30.00
Sketch Review	No fee

BOARD OF ZONING APPEALS

Variance Petition	200.00 plus 100.00 for each additional variance request up to a maximum of 1,000.00 plus actual postage
Appeal of Administrator's Decision	50.00
Appeal of HAPC Decision	100.00

3) DOCUMENTS, MAPS, & OTHER MATERIALS At Cost

C. INSPECTIONS

1) One, Two, and Three-Family Dwellings and Accessory Buildings (OBOA - Ohio Building Officials Association)

a. New Construction

Building	25.00 plus 10.00 per 100 square feet of gross floor area
Mechanical	25.00 plus 4.00 per 100 square feet of gross floor area.
Electrical	25.00 plus 3.00 per 100 square feet of gross floor area.
Third and subsequent plan review	40.00 per hour

b. Miscellaneous

Accessory Buildings	
200 square feet or more	20.00 plus 5.00 per additional 100 square feet 20.00 plus .50 per 10 square feet over 200 square feet

Furnace installation/replacement	30.00
Central air condition installation/replacement	30.00
Combination furnace/central air Installation/replacement	60.00
Minor Electric	30.00
Demolition	50.00
Alterations/Remodeling/Fire Repair	40.00 plus 10.00 per 100 square feet
Partial permits (where granted)	50.00
Temporary Certificate of Occupancy	40.00
Swimming Pool	
In-ground	90.00
Above ground	40.00

2. Commercial and Residential Buildings (Ohio Basic Building Code)

Commercial and residential

a. New Construction

Building	120.00 plus 7.00 per 100 square feet of gross floor area, including accessory buildings
Mechanical	100.00 plus 3.00 per 100 square feet of gross floor area, including accessory buildings
Electrical	150.00 plus 2.50 per 100 square feet of gross floor area, including accessory buildings
Alterations/Remodeling/Fire Repair	80.00 plus 3.00 per 100 square feet
Fire Suppression Systems	150.00 plus 3.20 per 100 square feet of gross floor area.
Hood Suppression Systems	100.00
Hood System	80.00
Fire Alarm System	100.00 plus 1.00 per 100 square feet of gross floor area
Minor Electric	80.00

Third and subsequent plan review	75.00 per hour
<u>b. Miscellaneous</u>	
Demolition	80.00

Furnace/AC Replacement, including roof top units	80.00
Partial Permit (where granted)	100.00
Temporary Certificate of Occupancy	80.00

OBBC Surcharge

Applications covered by the OBBC will be assessed an additional 3% surcharge fee as mandated by Ohio Administrative Code Section 4101:2-1-50(b).

3. Other Fees

(Applies to both OBOA and OBBC buildings unless otherwise noted.)

Moving or relocating buildings	250.00
Building Permit Renewal	50.00
Electric Service Upgrade	35.00
Temporary Pole	30.00
Change of Building Plans (after approval)	
50.00 plus cost of plan review (40.00 for residential, 75.00 for commercial per hour) when building plans are revised after issuance of permit.	

Fuel Storage Tank (per tank)	25.00
Sidewalk-Curb-Gutter Permit	25.00
Certificate of Use and Occupancy (not associated with building permit)	80.00
Awnings, tents	25.00
Signs	50.00
Fences	20.00
Reinspection Fee	30.00
(Charge for the third and subsequent inspection each time for the same permit)	
Backflow Prevention Permit	25.00
Work without a permit	Greater of \$200.00 or twice the cost of the permit fee
(Starting construction without a permit)	
Gas Line (per meter)	30.00

<u>4. Removal of structure prior to receipt of Certificate of Appropriateness</u>	50% of estimated demolition cost for each day after notification until a plan for reuse of property and a bond is filed.
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5. Rental Housing Permits

Initial Establishment (or if inactive for 2 years or more)	
First unit	110.00
Each additional unit	30.00

Fraternity	330.00 for first 50 persons, 15.00 for each additional person
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Invalid rental permit: The rental permit shall be invalid if the permit has not been renewed for over one year after the expiration date or the subject property has not been inspected for over 24 months, unless an active building permit is in progress.

Late Fee	10.00 after 60 days expired. 20.00 after 120 days expired. 30.00 after 180 days expired.
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Annual Renewal & Ownership Transfer	
First unit	55.00
Each additional unit	30.00
Rooming house or lodging house	110.00

Fraternity	330.00 for first 50 persons, 15.00 for each additional person
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Re-inspection (charge for a second site visit to re-inspection and each subsequent re-inspection. This charge also applies to additional site visits due to "no show" by agent/owner/designee)

First unit	75.00
Each additional unit	10.00
Rooming house or lodging house	75.00
Fraternity	75.00

Board of Appeal Application	150.00
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D. POLICE DEPARTMENT

Events requiring Officers for Crowd or Traffic Control:

One Officer	35.00 per hour
Each additional Officer	35.00 per hour
Police Supervisor	45.00 per hour

(Required for each four Police Officers)

Police Command Officer	55.00 per hour
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(Required for two squads of five Officers)

Per arrestee processed and transported to Butler County Jail by Oxford Police Department on City of Oxford criminal charges

200.00

Subsequent per diem for inmates incarcerated in Butler County Jail on City of Oxford criminal charges

100.00

Fingerprinting	15.00
Records Checks	15.00

Alarm User Permit Fees	
New Residential	20.00 annually
New Commercial/Industrial	25.00 annually
Renewal	10.00 annually

False Alarm Fees

Residential, Commercial & Industrial

1 to 2 Annually	No charge
Residential	
3 or more	50.00 per occurrence
Commercial/Industrial	
3 to 4 Annually	50.00 per occurrence
5 to 6 Annually	100.00 per occurrence
7 to 8 Annually	200.00 per occurrence
9 or more	400.00 per occurrence
Accident, crime, other reports	.10 per page
Purchase Meter time,	
Fee for Special Event	10.00 per meter per day
(Meter Bags)	
Purchase Meter time,	
Fee for Construction	10.00 per meter per day
(Meter Bags)	
Signs: "No Parking by Order of	
the Oxford P.D."	0.35 per sign
Impound/Immobilization Fees	
	100.00 1 st offense
	200.00 2 nd offense
	300.00 3 rd and all subsequent for
	the first day or any part
	thereof
	12.00 each subsequent day or any
	part thereof
	20.00 each subsequent day or any
	part thereof for vehicles covered
	or stored within a building
Towing Charges	100.00 1 st offense
	200.00 2 nd offense
	300.00 3 rd offense plus any
	additional charges for services
	requiring specialized equipment or
	extra personnel
Administrative Citation Hearing Fee	20.00 per appeal (lost appeal only)
Administrative Citation Collection Fee	27% of unpaid fine
Animal Boarding	
	21.50 1 st day or any part thereof
	13.50 each subsequent day or any
	part thereof
Parking	
Short Term Meters	0.25 per 20 minutes
High Density Parking Areas	0.50 per hour
Street side hourly meters	0.25 per hour
Parking garage meters	0.50 per hour
10 hour meters	0.50 for two hours
Monthly garage lease	450.00 475.00 biannually
	900.00 annually
Residential Permitted Parking	25.00 annually
Parking Collection Fees	

Retrieval of vehicle record	1.95 per look up
Citations collection fee	27% of unpaid fine
Alcohol Education Program Admin Fee	350.00
Alcohol Education Instructional Fee	125.00
<u>E. FIRE/EMS DEPARTMENT</u>	
EMS Runs BLS-E	595.00 601.00 per run
ALS-1 E	860.00 869.00 per run
ALS-2 E	1070.00 1081.00 per run
EMS Mileage Rate	14.50 15.00 per loaded mile
Court ordered restitution for Transport refusal	300.00
Fire Watch	35.00 per hour per person Two hour minimum
EMS Stand-By	35.00 per hour per person Two hour minimum
Civil Citation Hearing Fee	Actual cost of Hearing Officer (lost appeal only, does not apply on first offense)

F. SERVICE DEPARTMENT

1) Water service

Temporary meter deposit (hydrant connection)	
5/8 Inch	500.00
2 Inch	1600.00
Daily set-up and removal of device	100.00
Cost of water by volume (temporary meter) 3.20 per 100 cubic feet	

Temporary Water Service through
an approved meter pit device prior
to meter installation:

5/8 x 3/4"	64.00
1"	166.00
1 1/2"	332.00
2"	536.00
3"	1,071.00
4"	1,670.00
6"	3,347.00

Bulk Water Service	3.20 per 100 cubic feet; requires new account fee for service. Sanitary fees in effect for water entering the Sanitary system. Service available under authority of Service Director or his/her designee.
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Account Initiation Fee	50.00 (50% Water, 50% Sewer)
Water rates	
Volume charge per 100 cu feet	2.37
Base monthly charge Meter size	
(inch): 3/4 or smaller	8.64
1	14.39
1 & 1/2	28.77
2	46.05
3	86.34
4	143.92
6	287.83
Outside city limits	35% added to amounts above
Late fee	10%
Green Card distribution	5.00 if card leaves office
Gold Card distribution	5.00 charge would be in addition to turn on fee if the service is terminated.
Reconnection fee following service termination	10.00 1 st occurrence when past due payment is received before 3:00 PM. 20.00 2 nd occurrence when past due payment is received before 3:00 PM. 30.00 3 rd and subsequent occurrences when past due payment is received before 3:00 PM. 50.00 after 3:00 PM and for weekends/holidays reconnection
Irrigation meter	At cost to City
Irrigation meter repair	5.00 + costs
"No show" on scheduled appointment	25.00
Tap-in fees	
Based on tap size (inch)	
1	2,500.00
2	2,845.00
4	3,500.00
6	4,325.00
8	6,525.00
10	8,995.00
12	10,295.00
On brick street	Add 30.00/per sq ft of affected area

Outside City Limits	35% added to amounts above
Separate meter pits	time and materials
Meter Vault and Lid (based on meter size)	
5/8 & 3/4 (inch)	One Included in tap fee; 515.00 each additional (max of four pits per residential tap)

3" and greater installed by the contractor at developer's expense.

Water Meter including RF remote sending unit.

5/8 & 3/4 (inch)	330.00
1	369.00
1 & 1/2	721.00
2	844.00
3	2,400.00
4	3,750.00
Larger than 4	Cost to the City plus 10% administrative fee.

Water Capacity benefit charges

Meter size (inch):

5/8 & 3/4	1,550.00
1	4,020.00
1 & 1/2	8,090.00
2	13,090.00
3	26,100.00
4	40,700.00
6	81,600.00
8	130,500.00
10	187,900.00

Fifty percent of the required capacity benefit charge will become due for all lots platted at time of recording. The remaining fees will become due with application for a building permit.

Interest rate on past due capacity benefit permits unpaid after 30 days	Highest rate allowable by law
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New construction inspection	50.00 (initial inspection)
	50.00 (re-inspection of failed work)

New Water Main Chlorination / Disinfection Inspection	150.00
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New water main valve operation / And line flushing	150.00
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New Water Main Hydrostatic Testing	100.00 per test
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New Water Main Bacteria sampling / Testing	150.00 per event (includes outside laboratory fees)
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Water main installation inspection / Outside of normal working hours	City cost for inspection expense
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Fire Hydrant Flow Testing	100.00 per hydrant test
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Damage to City facilities	Repair cost plus 40-00 %
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2. Sanitary Sewer service

Sewer rates

Volume charge Per 100 cu feet	3.72
Base monthly fee	3.63
Surcharges	
Excess suspended solids	0.177/lb
Excess biochemical oxygen demand	0.182/lb
Excess oil and grease	0.20/lb

Commercial preparer or server of food	0.10 per 100 cu feet
Sewage Sampling fee	75.00
Late fee	10%

Sewer Capacity benefit charges

Meter size (inch):

5/8 & 3/4	1,550.00
1	4,020.00
1 & 1/2	8,090.00
2	13,090.00
3	26,100.00
4	40,700.00
6	81,600.00
8	130,500.00
10	187,900.00

Fifty percent of the required capacity benefit charge will become due for all lots platted at time of recording. The remaining fees will become due with application for a building permit.

Interest rate on past due capacity benefit permits unpaid after 30 days	Highest rate allowable by law
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New construction and Sanitary	50.00 (initial inspection)
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Lateral repair inspection	50.00 (reinspection of failed work)
	50.00 Inspection of existing sanitary lateral repairs

Sanitary Sewer Cleaning (jet truck)	280.00 per hour (1 hr. min.)
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Sanitary Sewer Main Video Inspection	280.00 per hour (1 hr. min.)
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Sanitary Lateral Video Inspection	280.00 per hour (1 hr. min.)
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Sanitary Sewer Manhole Inspection (vacuum method)	50.00 per manhole
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Staff monitoring of private contractor Video inspection	25.00 per hour (1 hr. min.)
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Sanitary Sewer Low Pressure Air Test (per City specifications)	25.00 per test section
Sanitary Sewer Main Construction (inspection services beyond normal working hours - overtime expense)	Cost to City of Oxford
Sanitary sewer Lift Station District Surcharge	Charge 50% surcharge to volume fee.
Locating service for private sanitary lateral	280.00 per hour (1 hr min.)

**Non-Compliance causing blockage or
damage to City facilities**

Response or repair cost plus 40%

Special Wastewater Discharge Application (tank pumping, groundwater, etc.)	25.00
Special Wastewater Contaminated Discharge Treatment	11.16 per 100 cubic feet

3. Refuse service

Monthly rate (includes 2.95 Recycle fee or 4.00 fee with larger
65 gallon container):

Hand Service refuse	30.40
Hand Service recycling	12.10

Residential service	17.60 or 18.80 with 65 gallon recycling container
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(Single Family or Multi-unit dwellings with four
or less units)

Waste-wheeler	17.60 if owned or 18.80 with 65 Gallon recycling container
Waste-wheeler rental	3.00

Commercial Service

Waste-wheeler customer	24.50
Waste-wheeler rental	9.00
Two cubic yard dumpster	75.70
Two cubic yard dumpster rental	14.00
Three cubic yard dumpster	99.90
Three cubic yard dumpster rental	17.00
Four cubic yard dumpster	127.40
Four cubic yard dumpster rental	20.00
Six cubic yard dumpster	186.00
Six cubic yard dumpster rental	23.00
Eight cubic yard dumpster	243.40
Eight cubic yard dumpster rental	26.00

Charge per additional pickup

Waste-wheeler customer	17.50
Two cubic yard dumpster	54.40
Three cubic yard dumpster	74.60
Four cubic yard dumpster	97.90

Six cubic yard dumpster	140.50
Eight cubic yard dumpster	183.00

Recycling	
Waste wheeler	10.40
Waste wheeler rental	9.00
Two cubic yard dumpster	35.60
Two cubic yard dumpster rental	14.00
Three cubic yard dumpster	47.70
Three cubic yard dumpster rental	17.00
Four cubic yard dumpster	59.80
Four cubic yard dumpster rental	20.00
Six cubic yard dumpster	78.10
Six cubic yard dumpster rental	23.00
Eight cubic yard dumpster	98.00
Eight cubic yard dumpster rental	26.00

Late fee	10%
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One-time additional pickup permit Stickers	10.00 per Sticker (Cost determined by Oxford)
Yard Waste Stickers	3.00 per Sticker

Compactor Tickets	35.00 37.50 per 1 Cu. Yd.
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Portable Toilet Rental and Servicing	Contract cost to city
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<u>4. Cable franchise agreement fee</u>	5% of annual gross revenue
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5. Miscellaneous

DVD Copies	5.00
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G. ENGINEERING DIVISION

1) Design manual fees:

Water and Sanitary Sewer Improvement Specifications	30.00
Storm Water Management Design	20.00
Digital city standard drawings	15.00 per compact disc

2) Map Order

Media:

Bond	8 1/2 x 11	B/W	4.00
Bond	8 1/2 x 11	Color	4.00
Bond	11 x 17	B/W	4.00
Bond	11 x 17	Color	4.50

Bond	24 x 36	B/W	10.00
Bond	24 x 36	Color	11.00
Bond	36 x 48	B/W	18.00
Bond	36 x 48	Color	20.00
Mylar	24 x 36	B/W	12.00
Mylar	24 x 36	Color	14.00
Mylar	36 x 48	B/W	20.00
Mylar	36 x 48	Color	22.00
Dry Mounted			
	24 x 36	NA	10.00 + map fee
	36 x 48	NA	22.00 + map fee

Base and Zoning maps

Lots	5.00	plus media cost
Oxford Historic District	1.00	plus media cost
Corporation limits	Free	
Water lines	5.00	plus media cost
Sewer lines	5.00	plus media cost
Base and Zoning maps (continued)		
Storm sewer lines	5.00	plus media cost
Zoning	5.00	plus media cost
Proposed development	5.00	plus media cost
Additional use permits	5.00	plus media cost
P.U.D.'s	5.00	plus media cost
Special use permits	5.00	plus media cost
Street index	1.00	plus media cost
Digital base map section	15.00	per diskette

3) Plans and Specifications Sales 20.00 to 500.00
(depending on the size of the project)

4) Document handling/forwarding fee 25.00
to regulating agencies

H. STREET DIVISION

Street cut surface repair Up to 40 sq.ft. - \$100.00 (or 40
linear ft of curb totaling less
than 40 sq. ft.)
>40 sq.ft. - \$100.00 + 2.50 per
additional sq.ft.
Brick Street Repair - \$30.00 per
sq. ft.

Work without a permit in ROW Greater of \$200.00 or twice
(Starting construction or the cost of the permit fee
without a permit)

Street Tree Permits No charge
Removal of hazardous trees from At cost to city plus 5%
private property Administrative fee

Street Spills Cost of time and materials for

	cleanup + 10% Administrative Fee
Right-of-way Requests	
Personnel (misc. tasks)	25.00 hr
Event Electrician	100.00+ necessary materials at cost
Road Closures/Detours	135.00
Event Trash cans	5.00
Street Signs	Cost of labor/materials used + 10% administrative fee
Gravesite Plots	100.00
Woodside Cemetery gravesite	250.00 Opening and closing
After 3:30 Monday-Friday	Additional 100.00
And weekends	
Street Banner Installation	Single banner 100.00
And removal	
Damage to City Facilities	Costs plus 40%

I. FINANCE DEPARTMENT

Misc. Copies	
per copy	.10 per Page
Final Annual Budget Document	
Paper	At cost to City
Electronic	5.00 per DVD/CD
Any Other Method	At cost to City
Comprehensive Annual Financial Report	
Paper	At cost to City
Electronic	5.00 per DVD/CD
Any Other Method	At cost to city
Hotel tax rates:	
Hotel tax	3.00%
Convention tax	3.00%
Motor vehicle license tax	5.00 per motor vehicle
Motor Coach or Bus (Each)	25.00 per Year
Taxicab (Each)	10.00 per Year
Minimum fee per company	25.00 per Year
Vendor License	50.00 per Calendar Month, or 300.00 per Year
NSF check Fee	At cost to City
Collections Fee on Delinquent Accounts	

Phase I	10.00 per written off account
Phase II	45% of the amount due on accounts more than \$250.00 35% of the amount due on accounts less than \$250.00

Dog License	0.75 per Tag (City Share), plus amount charged by County
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J. HUMAN RESOURCES

Non refundable Civil Service Exam Fee 15.00

SECTION 2: Council hereby accepts the recommendation of the City Manager and authorizes the adoption of the fees as contained herein. Additionally, the Council authorizes the City Manager to implement changes to existing fees or add new fees as deemed appropriate.

SECTION 3: This ordinance repeals ordinance adopted by the City of Oxford, but does not repeal the enabling language of the legislation by which these fees were previously adopted, which language shall otherwise remain in full force and effect.

SECTION 4: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/4/2013

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/25/2013
Date Prepared

Agenda Title: 2014 ANNUAL BUDGET ORDINANCE

Recommendation: Approve

Discussion:

Description of 2014 Budget

The current piece of legislation is a reflection of the information presented to Council at its October 17th work session.

Highlights: 2% COLA for all fulltime employees as agreed upon at our work session
A net effect of (\$196,344)

A 40,966 or .5% increase in General Fund operating expenditures

Net Income of \$1,862 in General Fund

Capital Spending \$3,154,566

Approved By:

Department Head:
City Manager:

Initial Date
[Signature] 11/11/13
[Signature] 11/11/13

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, 2014.

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, 2014, the following sums be and they are hereby set aside and appropriated as follows:

GENERAL FUND 110

SECURITY OF PERSONS & PROPERTY	
Personnel Services	4,115,214
Other Services & Charges	<u>588,015</u>
Total Appropriation	4,703,229
PUBLIC HEALTH AND WELFARE	
Personnel Services	-
Other Services & Charges	<u>122,564</u>
Total Appropriation	122,564
LEISURE TIME ACTIVITIES	
Personnel Services	983,144
Other Services & Charges	<u>419,924</u>
Total Appropriation	1,403,068
COMMUNITY ENVIRONMENT	
Personnel Services	512,658
Other Services & Charges	<u>302,232</u>
Total Appropriation	814,890
GENERAL GOVERNMENT	
Personnel Services	916,800
Other Services & Charges	<u>829,151</u>
Total Appropriation	1,745,951
TRANSFERS TO OTHER FUNDS	
Personnel Services	-
Other Services & Charges	<u>1,342,076</u>
Total Appropriation	1,342,076
ADVANCES TO OTHER FUNDS	
Personnel Services	-
Other Services & Charges	<u>2,541,200</u>
Total Appropriation	2,541,200
TOTAL GENERAL FUND APPROPRIATIONS	12,672,978

FIRE/EMS FUND 418

Personnel Services	1,084,378
Other Services & Charges	<u>442,809</u>
TOTAL FIRE/EMS FUND APPROPRIATIONS	1,527,187

STREET FUND 122

Personnel Services	621,752
Other Services & Charges	<u>201,438</u>
TOTAL STREET FUND APPROPRIATIONS	823,190

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	387,527
Other Services & Charges	102,292
Transfer to Other Funds	<u>235,604</u>
TOTAL PARKING FUND APPROPRIATIONS	725,423

PARKING IMPROVEMENT FUND 142

Other Services & Charges	<u>76,266</u>
TOTAL PARKING IMPROVEMENT FUND APPROPRIATIONS	76,266

CAPITAL IMPROVEMENT FUNDS

COMMUNITY DEVELOPMENT BLOCK GRANT FUND 126

Other Services & Charges	<u>119,000</u>
Total Appropriations	119,000

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>607,224</u>
Total Appropriations	607,224

CAPITAL IMPROVEMENT FUND 141

Other Services & Charges	1,165,500
Transfers to Other Funds	-
Advance to Other Funds	<u>2,541,200</u>
Total Appropriations	3,706,700

MUNICIPAL FACILITIES CAPITAL IMPROVEMENT FUND 140

Other Services & Charges	<u>-</u>
Total Appropriations	-

TOTAL CAPITAL IMPROVEMENT FUND APPROPRIATIONS	4,592,924
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WATER FUNDS

WATER (OPERATING) FUND 321	
Personal Services	1,227,732
Other Services & Charges	626,120
Transfers to Other Funds	<u>1,111,682</u>
Total Appropriations	2,965,534
WATER IMPROVEMENT FUND 322	
Other Services & Charges	<u>540,000</u>
Total Appropriations	540,000
WATER CAPACITY FUND – NE 381	
Other Services & Charges	-
Transfers to Other Funds	<u>133,333</u>
Total Appropriations	133,333
WATER CAPACITY FUND – NW 382	
Other Services & Charges	-
Transfers to Other Funds	<u>133,333</u>
Total Appropriations	133,333
WATER CAPACITY FUND – SE 383	
Other Services & Charges	-
Transfers to Other Funds	<u>133,334</u>
Total Appropriations	133,334
WATER CAPACITY FUND – SW 384	
Other Services & Charges	-
Transfers to Other Funds	<u>-</u>
Total Appropriations	-
WATER CAPITAL EQUIPMENT FUND 320	
Other Services & Charges	<u>31,800</u>
Total Appropriations	31,800
TOTAL WATER FUNDS APPROPRIATIONS	3,937,334

SEWER FUNDS

SEWER (OPERATING) FUND 331	
Personal Services	1,408,913
Other Services & Charges	1,341,582
Transfers to Other Funds	<u>409,282</u>
Total Appropriations	3,159,777
SEWER IMPROVEMENT FUND 332	
Other Services & Charges	<u>381,000</u>
Total Appropriations	381,000

SEWER CAPACITY FUND – NE 391	
Other Services & Charges	-
Transfers to Other Funds	-
Total Appropriations	-
SEWER CAPACITY FUND – NW 392	
Other Services & Charges	-
Transfers to Other Funds	-
Total Appropriations	-
SEWER CAPACITY FUND – SE 393	
Other Services & Charges	-
Transfers to Other Funds	-
Total Appropriations	-
SEWER CAPACITY FUND – SW 394	
Other Services & Charges	-
Transfers to Other Funds	-
Total Appropriations	-
SEWER CAPITAL EQUIPMENT FUND 330	
Other Services & Charges	442,300
Total Appropriations	442,300
TOTAL SEWER FUNDS APPROPRIATIONS	3,983,077
<u>STORM WATER FUND 351</u>	
Personal Services	-
Other Services & Charges	30,000
TOTAL STORM WATER FUND APPROPRIATIONS	30,000
<u>RUFUSE FUNDS</u>	
REFUSE (OPERATING) FUND 341	
Personal Services	148,467
Other Services & Charges	1,749,045
Transfer to Other Funds	29,282
Total Appropriations	1,926,794
LANDFILL POST-CLOSURE INVESTMENT FUND 353	
Other Services & Charges	1,020
Transfer to Other Funds	-
Total Appropriations	1,020
TOTAL REFUSE FUNDS APPROPRIATIONS	1,927,814
<u>HOTEL & CONVENTION TAX FUND 120</u>	
Other Services & Charges	184,971
Transfer to Other Funds	11,679
TOTAL HOTEL & CONVENTION TAX FUND APPROPRIATIONS	196,650

LIFE SQUAD GIFT FUND 210

Other Services & Charges	-
TOTAL LIFE SQUAD GIFT FUND APPROPRIATIONS	-

AFFORDABLE HOUSING TRUST FUND 212

Other Services & Charges	-
TOTAL AFFORDABLE HOUSING TRUST FUND APPROPRIATIONS	-

EMPLOYEE BENEFITS FUND 230

Other Services & Charges	1,641,335
TOTAL EMPLOYEE BENEFITS FUND APPROPRIATIONS	1,641,335

INTERNAL SERVICE FUND 370

Other Services & Charges	273,309
TOTAL INTERNAL SERVICE FUND APPROPRIATIONS	273,309

LAW ENFORCEMENT TRUST FUND 410

Personnel Services	-
Other Services & Charges	12,000
TOTAL LAW ENFORCEMENT TRUST FUND APPROPRIATIONS	12,000

ENFORCEMENT & EDUCATION FUND 412

Personnel Services	44,500
Other Services & Charges	27,580
TOTAL ENFORCEMENT & EDUCATION FUND APPROPRIATIONS	72,080

BOARD OF BUILDING STANDARDS FUND 414

Other Services & Charges	2,850
TOTAL BOARD OF BLD STANDARDS FUND APPROPRIATIONS	2,850

OXFORD NATURAL GAS REFUND FUND 415

Other Services & Charges	3,000
TOTAL OXFORD NATURAL GAS REFUND FUND APPROPRIATIONS	3,000

FEMA FUND 416

Personnel Services	-
Other Services & Charges	-
Advance to Other Funds	-
TOTAL FEMA FUND APPROPRIATIONS	-

SPECIAL ASSESSMENT FUND 417

Other Services & Charges	60,000
TOTAL SPECIAL ASSESSMENT FUND APPROPRIATIONS	60,000

DEBT SERVICE FUNDS

1999 PARKS IMPROVEMENT BOND FUND 152

Other Services & Charges	306,800
Total Appropriations	306,800

WATER BOND RETIREMENT FUND 312

Other Services & Charges

887,400

Total Appropriations

887,400

TOTAL DEBT SERVICE FUND APPROPRIATIONS

1,194,200

TOTAL 2014 BUDGET APPROPRIATIONS

33,771,817

SECTION 2: The City Auditor (Finance Director) is hereby 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: RICHARD KEEBLER

PREPARED BY: STAFF

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: November 18, 2013

Sam Perry

Account Code No. #:

Prepared By

Budgeted Amount:

November 12, 2013

Date Prepared

HAPC MEETING REPORT – NOVEMBER 6, 2013

Requests for Review (Certificate of Appropriateness):

HAPC-11-2013 – 29 North Beech Street -- Matthew Troy, Applicant/Agent – Mr. Troy, on behalf of himself and Mr. Robert Bolin of Bolin & Troy LLC, requested approval of a new freestanding sign similar in size and location to other pre-existing freestanding signs in the area. In their deliberation, the HAPC discussed issues of height, aesthetics and context. The HAPC was made aware that new freestanding signs are not permitted in the Uptown Zoning District; therefore an approval may not result in installation. The applicant planned to apply to the Board of Zoning Appeals for a variance if the HAPC approved the appropriateness. The proposed freestanding sign for an existing law office was approved with a vote of 5-1-0, with one member being absent. The HAPC generally adopted the staff-proposed conditions and also required an overall height reduction.

Old Business

Staff updated the HAPC on the progress of the Phi Gamma Delta house fire repair/renovation at 130 East High Street.

New Business

The Commission discussed the Marker Workshop to be held the following night at the Smith Library of Regional History at 15 S. College Avenue. The presentation would be shorter and the time allowed for application assistance would be longer. The next application deadline will be May 1, 2014.

Administrative Approvals

HAPC-ADM-10-2013 33 E. High Street, new wall sign for Insomnia Cookies, **Kevin Nichols, The Sign Place, Applicant/ Agent**

HAPC-ADM-11-2013 20 W. High Street, Chase Bank, ATM removal/relocation inside the building, brick infill on exterior, **Kevin Noble, FMS Architects, Applicant, Agent**

Next Meeting

The next HAPC meeting will take place on December 4, 2013.

Department Head:

City Attorney:

City Manager:

JHC / 11/12/13
DRE / 11/15/13

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: November 18, 2013

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

September 25, 2013

Date Prepared

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US27 South
But 27-14.12 PID # 81769 *Ordinance***

Recommendation: Approve

Discussion:

The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 South. These improvements will widen the roadway and create turning lanes at intersections as well as paved shoulders for the length of the project. Improvements will also include the construction of curb/gutter, a stormwater sewer system, sidewalks on both sides of the roadway, improved street lighting and traffic control, and the addition of street tree plantings.

The City has evaluated the need for ROW acquisition on approximately 40 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are fifteen owners that have not yet come to an agreement with the City.

The City contracted with Heritage Land Services to oversee fair market value negotiations with property owners impacted by this project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the fifteen properties that have not been resolved, Fair Market Value (FMV) estimates range from \$540 to \$109,733. Should all of the properties settle for FMV, the cost is estimated at \$321,649.

Service Department staff recommends moving forward with appropriation proceedings so that we may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on February 6, 2014, and awarding a construction contract shortly thereafter. The latest project estimate as prepared by ODOT is \$6,931,000 (excluding construction engineering costs from ODOT).

It is Staff's recommendation that the City Council authorize the City Manager or Law Director to take all actions necessary to acquire necessary ROW for this project and to deposit the amounts noted in the parcel's Fair Market Value Estimate with the Butler County Clerk of Courts pending litigation to resolve outstanding property value and damage claims.

Approved By:

Department Head:

City Manager:

Initial

Date

MBD

11/12/13

DLE

11/15/13

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE FOR PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT 4134 MILLVILLE-OXFORD ROAD FOR THE PURPOSE OF ACQUIRING PERMANENT AND TEMPORARY RIGHTS-OF-WAY TO CONSTRUCT AND WIDEN MILLVILLE-OXFORD ROAD (U.S. 27).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION 1: The City Council of Oxford, Ohio by Resolution No. 4774 passed September 17, 2013 declared its intention to appropriate certain real property hereinafter described as a permanent and temporary rights-of-way for construction for the purpose of widening of Millville-Oxford Road which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate was attempted to be served upon the owner of, person in possession of, or person having a record interest in the said property in the manner provided for the service and return of summons in civil actions and all attempts failed; therefore notice of the passage of the above referenced resolution of intent to appropriate was published in a newspaper of general circulation once a week for a period of three (3) consecutive weeks in accordance with Ohio Revised Code Section 719.05. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION 2: The City's acquisition of a fee interest and temporary interest in the real property described in Section 3 here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION 3: That the lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, are located at 4134 Millville-Oxford Road, Oxford Ohio 45056, and include the following:

Permanent Take of Parcel 137-WDV BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

Temporary Easement over Parcel 137-T, BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

SECTION 4: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION 5: The value of said appropriated real property, including any residual damages, has been appraised at \$110,000.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

EXHIBIT A

LPA RX 851 WD

Page 1 of 2

Rev. 06/09

Ver. Date 10/15/12

PID 81769

**PARCEL 137-WDV
BUT-27-14.12
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
"CITY OF OXFORD, BUTLER" COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, Township of Oxford, Section 35, Township 5, Range 2, being part of Lot No. 1 of Miami Western Circle Subdivision which is a 0.276 acre tract conveyed to Alan W. Thome and Tammy K. Thome as recorded in Deed Book 6402, Page 1252, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at a point at the southwest corner of Lot No. 1 of Miami Western Circle Subdivision as recorded in Plat Book 15, Page 19, in the Butler County Recorder's Office, said point being 36.33 feet right of centerline of survey station 213+62.99, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, North 33 degrees 24 minutes 50 seconds West, along the east existing right of way, for a distance of 79.83 feet to a point, said point being 36.53 feet right of centerline of survey station 214+42.81;

Thence, with a curve to the right, having a radius of 15.00 feet, a central angle of 90 degrees 00 minutes 00 seconds, an arc length of 23.56 feet, and a chord that bears North 11 degrees 35 minutes 10 seconds East, for a distance of 21.21 feet to a point on the south existing right of way for Miami Western Drive, said point being 51.57 feet right of centerline of survey station 214+57.78;

EXHIBIT A

LPA RX 851 WD

Page 2 of 2

Rev. 06/09

Thence, North 56 degrees 35 minutes 10 seconds East, along the south existing right of way for Miami Western Drive, for a distance of 48.76 feet to an iron pin, said pin being 100.33 feet right of centerline of survey station 214+57.66;

Thence, South 13 degrees 41 minutes 54 seconds West, across the grantor's tract, for a distance of 48.10 feet to an iron pin, said pin being 65.00 feet right of centerline of survey station 214+25.00;

Thence, South 33 degrees 33 minutes 41 seconds East, across the grantor's tract, for a distance of 68.35 feet to an iron pin on the grantor's south line, said pin being 65.00 feet right of centerline of survey station 213+56.65;

Thence, South 68 degrees 53 minutes 38 seconds West, along the grantor's south line, for a distance of 29.37 feet to the **TRUE POINT OF BEGINNING**, containing 0.076 acres.

It is understood that the parcel of land described contains, 0.076 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H3620-050-000-001.

All iron pins set are 5/8 inch x 30 inch rebar with an orange cap stamped "LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC.".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Deed Book 6402, Page 1252 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).


Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
Date

REVIEWED & APPROVED

BY: 

DATE: 1-25-13

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/15/12

PID 81769

**PARCEL 137-T
BUT-27-14.12
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
TO COMPLETE GRADING & CONSTRUCT DRIVE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF OXFORD, BUTLER," COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, Township of Oxford, Section 36, Township 5, Range 2, being part of Lot No. 1 of Miami Western Circle Subdivision which is a 0.276 acre tract conveyed to Alan W. Thome and Tammy K. Thome as recorded in Deed Book 6402, Page 1252, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at an iron pin on the east existing right of way for U.S. 27, being 65.00 feet right of centerline of survey station 213+56.65, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, North 33 degrees 33 minutes 41 seconds West, along the east proposed right of way, for a distance of 68.35 feet to an iron pin, said pin being 65.00 feet right of centerline of survey station 214+25.00;

Thence, North 13 degrees 41 minutes 54 seconds East, along the east proposed right of way, for a distance of 48.10 feet to an iron pin on the south existing right of way for Miami Western Drive, said pin being 100.33 feet right of centerline of survey station 214+57.66;

Thence, South 09 degrees 23 minutes 03 seconds West, across the grantor's tract, for a distance of 36.18 feet to a point, said point being 75.68 feet right of centerline of survey station 214+31.17;

Thence, South 28 degrees 38 minutes 29 seconds East, across the grantor's tract, for a distance of 31.28 feet to a point, said point being 73.00 feet right of centerline of survey station 214+00.00;

EXHIBIT A

Page 2 of 2

LPA RX 887 T

Rev. 07/09

Thence, South 33 degrees 33 minutes 41 seconds East, across the grantor's tract, for a distance of 25.00 feet to a point, said point being 73.00 feet right of centerline of survey station 213+75.00;

Thence, South 51 degrees 28 minutes 14 seconds East, across the grantor's tract, for a distance of 22.77 feet to a point on the grantor's south line, said point being 80.00 feet right of centerline of survey station 213+53.34;

Thence, South 68 degrees 53 minutes 38 seconds West, along the grantor's south line, for a distance of 15.36 feet, passing an iron pin at 10.24 feet to the **TRUE POINT OF BEGINNING**, containing 0.017 acres.

It is understood that the parcel of land described contains, 0.017 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H3620-050-000-001.

All iron pins set are 3/4" x 30" rebar with 2" aluminum cap stamped "ODOT R/W-District 8".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Deed Book 6402, Page 1252 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
Date

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/4/2013

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/25/2013
Date Prepared

Agenda Title: 2014 ANNUAL TRANSFER ORDINANCE

Recommendation: Approve

Discussion:

Description of Budgeted Transfers for the 2014 Budget

Transfer from GENERAL FUND 110
Transfer to STREET FUND 122 447,438.00

Annual General Fund Financial Support (quarterly)

Transfer from GENERAL FUND 110
Transfer to CAPITAL IMPROVEMENT FUND 141 335,688.00

Annual General Fund Financial Support (quarterly)

Transfer from GENERAL FUND 110
Transfer to CAPITAL EQUIPMENT FUND 140 174,000.00

Annual General Fund Financial Support (quarterly)

Transfer from GENERAL FUND 110
Transfer to PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152 306,800.00

Annual General Fund Debt Service Payment (bi-annual to match debt payment)

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

Annual General Fund Financial Support (quarterly)

Transfer from GENERAL FUND 110
Transfer to STORM WATER FUND 351 30,000.00

General Fund Financial Support (1st quarter)

Transfer from GENERAL FUND 110	
Transfer to SPECIAL ASSESSMENT FUND 417	30,000.00
General Fund Financial Support (1 st quarter)	
Transfer from PARKING FUND 130	
Transfer to PARKING IMPROVEMENT FUND 142	75,266.00
Annual Parking Fund Financial Support (1 st quarter)	
Transfer from PARKING FUND 130	
Transfer to STREET FUND 122	23,005.00
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 GENERAL FUND 110	27,333.00
Annual Parking Fund Payment for Service department support (quarterly)	
Transfer from WATER FUND 321	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	100,000.00
Annual Water Fund Financial Support (quarterly)	
Transfer from WATER FUND 321	
Transfer to WATER BOND DEBT SERVICE FUND 312	887,400.00
Annual Water Fund Debt Service Payment (bi-annual to match debt payment)	
Transfer from WATER FUND 321	
Transfer to WATER CAPITAL EQUIPMENT FUND 320	85,000.00
Annual Water Fund Financial Support (quarterly)	
Transfer from WATER FUND 321	
Transfer to GENERAL FUND 110	39,282.00
Annual Water Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)	
Transfer from WATER CAPACITY BENEFIT - NE FUND 381	
Transfer to WATER IMPROVEMENT FUND 322	133,333.00
NE Fund Financial Support (1 st quarter)	
Transfer from WATER CAPACITY BENEFIT - NW FUND 382	
Transfer to WATER IMPROVEMENT FUND 322	133,333.00
NW Fund Financial Support (1 st quarter)	

Transfer from WATER CAPACITY BENEFIT - SE FUND 383	
Transfer to WATER IMPROVEMENT FUND 322	133,334.00
SE Fund Financial Support (1 st quarter)	
Transfer from SEWER FUND 331	
Transfer to SEWER CAPITAL IMPROVEMENT FUND 332	200,000.00
Annual Sewer Fund Financial Support (1 st quarter)	
Transfer from SEWER FUND 331	
Transfer to SEWER CAPITAL EQUIPMENT FUND 330	170,000.00
Annual Sewer Fund Financial Support (quarterly)	
Transfer from SEWER FUND 331	
Transfer to GENERAL FUND 110	39,282.00
Annual Sewer Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)	
Transfer from REFUSE FUND 341	
Transfer to GENERAL FUND 110	29,282.00
Annual Refuse Fund Financial Support – Muni-Building Expenses (quarterly)	
Transfer from HOTEL TAX FUND 120	
Transfer to GENERAL FUND 110	11,679.00
Annual Hotel Tax Fund Financial Support (monthly)	

Approved By:

Department Head:
City Manager:

Initial Date
 11/07/25/13
 11/11/13

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED TRANSFERS FOR THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014.

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, 2014, as follows:

Transfer from:

General Fund 110	447,438.00
General Fund 110	335,688.00
General Fund 110	174,000.00
General Fund 110	306,800.00
General Fund 110	18,150.00
General Fund 110	30,000.00
General Fund 110	30,000.00
Parking Fund 130	75,266.00
Parking Fund 130	23,005.00
Parking Fund 130	110,000.00
Parking Fund 130	27,333.00
Water Fund 321	100,000.00
Water Fund 321	887,400.00
Water Fund 321	85,000.00
Water Fund 321	39,282.00
Water Capacity Benefit Fund – NE Fund 381	133,333.00
Water Capacity Benefit Fund – NW Fund 382	133,333.00
Water Capacity Benefit Fund – SE Fund 383	133,334.00
Sewer Fund 331	200,000.00
Sewer Fund 331	170,000.00
Sewer Fund 331	39,282.00
Refuse Fund 341	29,282.00
Hotel Tax Fund 120	11,679.00

Transfer to:

Street Fund 122	447,438.00
Capital Improvement Fund 141	335,688.00
Capital Equipment Fund 140	174,000.00
Parks Improvements Bond Debt Service Fund 152	306,800.00
Fire/EMS Fund 418	18,150.00
Storm Water Fund 351	30,000.00
Special Assessment Fund 417	30,000.00
Parking Improvement Fund 142	75,266.00
Street Fund 122	23,005.00
Capital Improvement Fund 141	110,000.00
General Fund 110	27,333.00

Water Capital Improvement Fund 322	100,000.00
Water Bond Debt Service Fund 312	887,400.00
Water Capital Equipment Fund 320	85,000.00
General Fund 110	39,282.00
Water Capital Improvement Fund 322	133,333.00
Water Capital Improvement Fund 322	133,333.00
Water Capital Improvement Fund 322	133,334.00
Sewer Improvement Fund 332	200,000.00
Sewer Capital Equipment Fund 330	170,000.00
General Fund 110	39,282.00
General Fund 110	29,282.00
General Fund 110	11,679.00

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

City Council Meeting of: November 18, 2013

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

September 25, 2013
Date Prepared

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US27 South
But 27-14.12 PID # 81769 *Ordinance***

Recommendation: Approve

Discussion:

The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 South. These improvements will widen the roadway and create turning lanes at intersections as well as paved shoulders for the length of the project. Improvements will also include the construction of curb/gutter, a stormwater sewer system, sidewalks on both sides of the roadway, improved street lighting and traffic control, and the addition of street tree plantings.

The City has evaluated the need for ROW acquisition on approximately 40 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are fifteen owners that have not yet come to an agreement with the City.

The City contracted with Heritage Land Services to oversee fair market value negotiations with property owners impacted by this project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the fifteen properties that have not been resolved, Fair Market Value (FMV) estimates range from \$540 to \$109,733. Should all of the properties settle for FMV, the cost is estimated at \$321,649.

Service Department staff recommends moving forward with appropriation proceedings so that we may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on February 6, 2014, and awarding a construction contract shortly thereafter. The latest project estimate as prepared by ODOT is \$6,931,000 (excluding construction engineering costs from ODOT).

It is Staff's recommendation that the City Council authorize the City Manager or Law Director to take all actions necessary to acquire necessary ROW for this project and to deposit the amounts noted in the parcel's Fair Market Value Estimate with the Butler County Clerk of Courts pending litigation to resolve outstanding property value and damage claims.

Approved By:

Department Head:

City Manager:

Initial

Date

MBD \ 11/12/13

DDE \ 11/15/13

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE FOR PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED AT 106 THOMSON COURT FOR THE PURPOSE OF ACQUIRING PERMANENT AND TEMPORARY RIGHTS-OF-WAY TO CONSTRUCT AND WIDEN MILLVILLE-OXFORD ROAD (U.S. 27).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION 1: The City Council of Oxford, Ohio by Resolution No. 4779 passed September 17, 2013 declared its intention to appropriate certain real property hereinafter described as a permanent and temporary rights-of-way for construction for the purpose of widening of Millville-Oxford Road which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate was attempted to be served upon the owner of, person in possession of, or person having a record interest in the said property in the manner provided for the service and return of summons in civil actions and all attempts failed; therefore notice of the passage of the above referenced resolution of intent to appropriate was published in a newspaper of general circulation once a week for a period of three (3) consecutive weeks in accordance with Ohio Revised Code Section 719.05. A copy of the portion of the plan showing the effect of the acquisition upon the owner's real property has been provided to the owner or owner's agent and a full copy of the plans have been filed with the Butler County Engineer. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION 2: The City's acquisition of a fee interest and temporary interest in the real property described in Section 3 here below is necessary for public right-of-way, and the construction of public improvements, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION 3: That the lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road improvement, are located at 106 Thomson Court, Oxford Ohio 45056, and include the following:

Permanent Take of Parcel 160-WD BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

Temporary Easement over Parcel 160-T, BUT-27-14.12, hereby attached and incorporated by reference as Exhibit "A"

SECTION 4: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION 5: The value of said appropriated real property, including any residual damages, has been appraised at \$8,565.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION 6: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

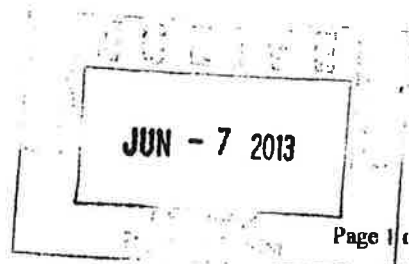


EXHIBIT A

Page 1 of 2

Rev. 06/09

LPA RX 851 WD

Ver. Date 10/15/12

PID 81769

**PARCEL 160-WD
BUT-27-14.12
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
"CITY OF OXFORD, BUTLER" COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of Lot No. 953 Juniper Hills Subdivision which is a 0.608 acre tract conveyed to David R. Nestle as recorded in Official Record 7762, Page 673, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at a point at the southwest corner of said Lot No. 953 of Juniper Hills Subdivision as recorded in Plat Book 16, Page 30, in the Butler County Recorder's Office, said point being 30.00 feet right of centerline of survey station 232+43.96, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, with a curve to the right having a radius of 11429.16 feet, a central angle of 00 degrees 19 minutes 05 seconds, an arc length of 63.42 feet, and a chord that bears North 30 degrees 16 minutes 45 seconds West, for a distance of 63.42 feet to a point, said point being 30.00 feet right of centerline of survey station 233+07.55;

Thence, North 30 degrees 07 minutes 13 seconds West, along the east existing right of way of U.S. 27, for a distance of 61.50 feet to a point at the grantor's northwest corner, said point being 30.00 feet right of centerline of survey station 233+69.04;

EXHIBIT A

LPA RX 851 WD

Page 2 of 2

Rev. 06/09

Thence, North 67 degrees 04 minutes 28 seconds East, along the grantor's north line, for a distance of 40.32 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+63.99;

Thence, South 30 degrees 07 minutes 13 seconds East, across the grantor's tract, for a distance of 56.45 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+07.55;

Thence, with a curve to the left having a radius of 11389.16 feet, a central angle of 00 degrees 25 minutes 12 seconds, an arc length of 83.50 feet, and a chord that bears South 30 degrees 19 minutes 49 seconds East, for a distance of 83.50 feet to an iron pin on the grantor's south line, said pin being 70.00 feet right of centerline of survey station 232+23.53;

Thence, South 86 degrees 28 minutes 04 seconds West, along the grantor's south line, for a distance of 44.88 feet to the **TRUE POINT OF BEGINNING**, containing 0.122 acres.

It is understood that the parcel of land described contains, 0.122 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-111-000-016.

All iron pins set are 5/8 inch x 30 inch rebar with an orange cap stamped "LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC."

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Official Record 7762, Page 673 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).


Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
Date
REVIEWED & APPROVED
BY: 
DATE: 1-25-13

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/15/12

PID 81769

**PARCEL 160-T
BUT-27-14.12
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
TO COMPLETE GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF OXFORD, BUTLER," COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of Lot No. 953 Juniper Hills Subdivision which is a 0.608 acre tract conveyed to David R. Nestle as recorded in Official Record 7762, Page 673, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at an iron pin on the east proposed right of way for U.S. 27 and the grantor's south line, being 70.00 feet right of centerline of survey station 232+23.53, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, with a curve to the right having a radius of 11389.16 feet, a central angle of 00 degrees 25 minutes 12 seconds, an arc length of 83.50 feet, and a chord that bears North 30 degrees 19 minutes 49 seconds West, for a distance of 83.50 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+07.55;

Thence, North 30 degrees 07 minutes 13 seconds West, along the east proposed right of way for U.S. 27, for a distance of 56.45 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+63.99;

Thence, North 67 degrees 04 minutes 28 seconds East, along the grantor's north line, for a distance of 10.08 feet to a point, said point being 80.00 feet right of centerline of survey station 233+62.73;

Thence, South 30 degrees 07 minutes 13 seconds East, across the grantor's tract, for a distance of 55.18 feet to a point, said point being 80.00 feet right of centerline of survey station 233+07.55;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Thence, with a curve to the right having, a radius of 11379.16 feet, a central angle of 00 degrees 26 minutes 45 seconds, an arc length of 88.53 feet, and a chord that bears South 30 degrees 20 minutes 35 seconds East, for a distance of 88.53 feet to a point on the grantor's south line, said point being 80.00 feet right of centerline of survey station 232+18.40;

Thence, South 86 degrees 28 minutes 04 seconds West, along the grantor's south line, for a distance of 11.23 feet, to the **TRUE POINT OF BEGINNING**, containing 0.033 acres.

It is understood that the parcel of land described contains, 0.033 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-111-000-016.

All iron pins set are 3/4" x 30" rebar with 2" aluminum cap stamped "ODOT R/W-District 8".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Official Record 7762, Page 673 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13

Date

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 11/4/2013

Joe Newlin
Prepared by

Account Code No. #: N/A

Budgeted Amount: _____

10/25/2013
Date Prepared

Agenda Title: 2014 ANNUAL ADVANCE ORDINANCE

Recommendation: Approve

Discussion:

Description of Budgeted Advances for the 2014 Budget

Advance from GENERAL FUND 110
Advance to CAPITAL IMPROVEMENT FUND 141
- US 27 South Right-A-Way

Funds to be reimbursed from ODOT/Federal Earmark Funds 1,800,000.00

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

Advance from GENERAL FUND 110
Advance to CAPITAL IMPROVEMENT FUND 141
- High Street Poplar to Campus Rebuild

Funds to be reimbursed from OPWC 568,700.00

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

Advance from GENERAL FUND 110
Advance to CAPITAL IMPROVEMENT FUND 141
- Dana Drive Bridge Replacement

Funds to be reimbursed from OPWC 172,500.00

This repayment to General Fund will be made when funds received

Approved By:

Department Head:
City Manager:

Initial Date
11/1/13
11/1/13

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED ADVANCES FOR THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014.

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, 2014, as follows:

Advance from:

General Fund 110	1,800,000.00
General Fund 110	568,700.00
General Fund 110	172,500.00
Capital Improvement Fund 141	1,800,000.00
Capital Improvement Fund 141	568,700.00
Capital Improvement Fund 141	172,500.00

Advance to:

Capital Improvement Fund 141	1,800,000.00
Capital Improvement Fund 141	568,700.00
Capital Improvement Fund 141	172,500.00
General Fund 110	1,800,000.00
General Fund 110	568,700.00
General Fund 110	172,500.00

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF