



Agenda

Oxford City Council

Court House

TUESDAY, DECEMBER 1, 2015

EXECUTIVE SESSION

7:00 P.M.

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

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Election of Mayor and Vice Mayor. (Swearing In, Steve McHugh)
4. Public Participation.
 - A. Notice to Legislative Authority - Transfer permit from Kona Bistro & Coffee Bar Inc. 31 W. High Street 1st floor, basement & patio Oxford, Ohio 45056 to B Wing LLC DBA Kona Bistro 1st floor, basement & patio 31 W. High Street Oxford, Ohio 45056.



Notice

- B. Public Comments.

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

5. Consent Agenda.

- A. Minutes of the November 17, 2015 City Council Meeting. (Minutes will be available with the December 15, 2015 Council agenda)
- B. Report regarding the November 18, 2015 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. A Resolution authorizing the City Manager to enter into a twelve (12) month agreement with Verizon Wireless to provide cellular service for up to eighty (80) units for the City of Oxford in accordance with General Services Administration (GSA) Federal Supply Schedule Number GS-35F-0119P at an estimated cost of forty six thousand dollars (\$46,000.00) automatically renewable at a cost not to exceed five percent (5%) annually. (Bob Holzworth, Police Chief)



Staff Report/Resolution

6. Resolutions.

1. A Resolution authorizing the City Manager to extend the existing agreement between Oxford Township, Butler County, Ohio and the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township pursuant to the agreement for a period of one year. (Doug Elliott, City Manager).



Staff Report/Resolution

2. A Resolution authorizing the City Manager to extend the existing agreement between Milford Township, Butler County, Ohio and the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township pursuant to the agreement for a period of one year. (Doug Elliott, City Manager).



Staff Report/Resolution

7. Ordinances.

A. First Reading.

1. An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 8 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 141.04 Entitled Police Advisory Board, And Adopting New Oxford Codified Ordinance Section 141.04 Entitled Police Community Relations And Review Commission. (Doug Elliott, City Manager)



Staff Report/Ordinance

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

2. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Dec 2 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Dec 2 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Dec 8 Planning Commission Meeting 7:30 p.m.

TUES - Dec 15 City Council Meeting 7:30 p.m.

WED - Dec 16 Civil Service Commission Meeting 5:30 p.m. Municipal Building

WED - Dec 16 Board of Zoning Appeals Meeting 7:30 p.m.

MON - Dec 21 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

THUR -Dec 24 Holiday - City Offices Closed

FRI - Dec 25 Holiday - City Offices Closed

9. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: December 1, 2015

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

November 16, 2015
Date Prepared

Agenda Title: Legislative Authority Notice - Transfer permit from Kona Bistro & Coffee Bar Inc. 31 W. High Street 1st floor, basement and patio Oxford, Ohio 45056 to B Wing LLC DBA Kona Bistro 1st floor, basement and patio 31 W. High Street Oxford, Ohio 45056.

Recommendation: N/A

Discussion:

The permit is for:

- D1 - Beer only for on premises consumption or in sealed containers for carry out.
- D2 - Wine and mixed beverages for on premises consumption or in sealed containers for carryout.
- D3 - Spirituous liquor for on premises consumption only until 1:00 a.m.

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

Approved By:

Initial Date

Department Head:
City Manager:

DRE 11/25/17

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

1157466			TRFO	B WING LLC DBA KONA BISTRO 1ST FLR BSMT & PATIO 31 W HIGH ST OXFORD OH 45056
PERMIT NUMBER			TYPE	
06	01	2015		
ISSUE DATE				
11	06	2015		
FILING DATE				
D1	D2	D3	PERMIT CLASSES	
09	088	A	F15076	
TAX DISTRICT		RECEIPT NO.		

RECEIVED

11-16-15

City of Oxford

FROM 11/13/2015

4779501				KONA BISTRO & COFFEE BAR INC 31 W HIGH ST 1ST FL BSMT & PATIO OXFORD OHIO 45056
PERMIT NUMBER			TYPE	
06	01	2015		
ISSUE DATE				
11	06	2015		
FILING DATE				
D1	D2	D3	PERMIT CLASSES	
09	088			
TAX DISTRICT		RECEIPT NO.		



MAILED 11/13/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/14/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 1157466**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF OXFORD CITY COUNCIL
101 E HIGH ST
OXFORD OHIO 45056

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECH

1157466 PERMIT NBR
B WING LLC
DBA KONA BISTRO
1ST FLR BSMT & PATIO
31 W HIGH ST
OXFORD OH 45056

DAVID A JENNINGS
KATHY O JENNINGS

11/09/2015 ACTIVE
11/09/2015 ACTIVE

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

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

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 1, 2015

Sam Perry
Prepared By

Account Code No. #:

November 24, 2015
Date Prepared

Budgeted Amount:

Agenda Title: Board of Zoning Appeals Meeting Report – November 18, 2015

New Business

BZA-2015-15, 115 Bishop Street variance to Section 1143.05(c)(1)(B) minimum lot width
Scott Webb, Applicant/Agent

This request was relief from the Oxford Zoning Code requirement of the R2MS District minimum 75 feet lot width in order to build a new two-family residence. The existing lot is 66.29 feet or 88% of the minimum lot width required. There is currently a single-family dwelling on the lot. The four-bedroom dwelling is a lodging house because it is permitted for up to seven (7) unrelated occupants. Therefore the property is considered a legal non-conforming land use. After deliberation of the request the BZA found that the request met the code requirement to approve the variance based upon Criteria B (not substantial) and C (not negatively altering essential character). The variance was approved as submitted, with a vote of 5-0-0.

Old Business

BZA-2014-12, 20-24 E. High Street, Addition to Sigma Chi Founding Site and Demolition of 48-56 E. Park Place (09/17/2014), Extension of the Certificate of Appropriateness, Scott Webb, Architect, Applicant

The BZA granted the architect's request for extension, as submitted, until May 2016 with a vote of 5-0-0.

BZA-2015-13, 14 N. College Avenue, Appeal of Administrator's Decision, Gursaran Shoker, Lee Ann Shoker Owners, Applicants (Continued from October)

Staff updated the board that additional evidence had been submitted for review.

The next regular meeting is scheduled for December 16, 2015.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

SPC / *11/24/15*
PRG / *11/25/15*

CITY OF OXFORD

STAFF SUMMARY REPORT

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

Police

Originating Department

Council Meeting Of: December 1, 2015

Robert Holzworth

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 20, 2015

Date Prepared

Agenda Title: Resolution to enter into an agreement with Verizon Wireless, our cellular service provider since December 9, 2011, to provide cellular service and equipment at an estimated cost of \$46,000. This agreement would automatically renew annually at a cost not to exceed 5%.

Recommendation: Approve

Verizon Wireless requires a signed "GSA-Federal Supply Schedule Purchase Order" at the beginning of each year; it is their version of the city's purchase order. They agree to provide cellular service in accordance with GSA Federal Supply Schedule Number GS-35F-0119P. This agreement will automatically renew annually at a cost not to exceed 5%.

Last year's agreement included access fees and equipment charges for 70 lines at an estimated cost of \$39,200; this year's agreement is for 80 lines at an estimated cost of \$46,000.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

[Signature] \ 11-24-15

DRE \ 11/23/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWELVE (12) MONTH AGREEMENT WITH VERIZON WIRELESS TO PROVIDE CELLULAR SERVICE FOR UP TO EIGHTY (80) UNITS FOR THE CITY OF OXFORD IN ACCORDANCE WITH GENERAL SERVICES ADMINISTRATION (GSA) FEDERAL SUPPLY SCHEDULE NUMBER GS-35F-0119P AT AN ESTIMATED COST OF FORTY SIX THOUSAND DOLLARS (\$46,000.00) AUTOMATICALLY RENEWABLE AT A COST NOT TO EXCEED FIVE PERCENT (5%) ANNUALLY.

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

SECTION 1: The City Manager and the Police Chief recommend City Council authorize the City Manager to enter into a twelve (12) month agreement with Verizon Wireless to provide cellular service for up to eighty (80) units for the City of Oxford in accordance with General Services Administration (GSA) Federal Supply Schedule Number GS-35F-0119P at an estimated cost of forty six thousand dollars (\$46,000.00) automatically renewable at a cost not to exceed five percent (5%) annually.

SECTION 2: City Council accepts the recommendation of the City Manager and the Police Chief and hereby authorizes the City Manager to enter into a twelve (12) month Agreement with Verizon Wireless to provide cellular service for up to eighty (80) units for the City of Oxford in accordance with General Services Administration (GSA) Federal Supply Schedule Number GS-35F-0119P at an estimated cost of forty six thousand dollars (\$46,000.00) automatically renewable at a cost not to exceed five percent (5%) annually.

SECTION 3: Funds sufficient to pay the amount due have been appropriated.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)



CITY OF OXFORD

GSA-Federal Supply Schedule Purchase Order

Date:	November 20, 2015
Vendor:	Verizon Wireless
Address:	7600 Montpelier Road Laurel, MD 20723
Email:	VZWFederal.Implementations@VerizonWireless.com
Phone:	1.800.561.6227
FAX:	
Authorized By:	Signature of Authorized Official: _____ Printed or typed name: Douglas R. Elliott, Jr. _____ Printed or typed title: City Manager _____
Contact Information:	Email address: DELLIOTT@CITYOFOXORD.ORG Phone number: 5135245211 FAX number: _____
Billing Information:	CITY OF OXFORD 101 EAST HIGH ST Oxford, OH 45056 Account:0386998768-00001 Profile:2773995
Payment Terms:	Net 30
Description of Goods/Services; Pricing:	Cellular service on the accounts listed below (or attached) totaling 80 units in accordance with the rate plans and terms and conditions now or in the future applicable to each of such lines pursuant to GSA Federal Supply Schedule Number GS-35F-0119P, Rate Plan(s): Various Equipment: various
Term:	12 31, 2015 for 12 months through 2016 (month) (day) (#) (year)
Funds Authorized:	Monthly Access Fees for service on 80 Lines (Estimated) \$3000 Equipment charge(s) on 80 Lines (Estimates) \$10000 Total Access and Equipment Fees on 80 Lines (Estimate) \$46000 Plus applicable fees, taxes and charges
Contract #:	GSA Federal Supply Schedule Contract Number GS-35F-0119P
Equipment (Open Market):	None of the equipment listed are products listed on GSA Federal Supply Schedule Contract No. GS-35F-0119P. All devices and or accessories are "Open Market" items.
Miscellaneous:	Specify Phones, Delivery, Etc.: _____
Customer Acceptance:	Signature: _____ Date: _____

For Verizon Wireless Internal use only: Approval: _____ Date: _____

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: December 1, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 23, 2015

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to extend the existing agreement between Oxford Township, Butler County, Ohio and the City of Oxford to provide fire protection and emergency medical services to Oxford Township pursuant to the agreement for one year.

Recommendation: Adopt the Resolution.

Discussion:

The present contract for the provision of Fire and EMS Services to Oxford Township by the City of Oxford expires on 12/31/15. It was a three year contract. Councilor Keebler, the Fire Chief and I met on August 10, 2015 with the Oxford Township Trustees to discuss a new contract. Since we were unable to schedule another meeting, I am recommending that the City of Oxford extend the present contract for one additional year. Under the terms of the agreement, Oxford Township would continue to compensate the City of Oxford \$60,000 for the year. Payment for services would be as follows: 50% or \$30,000 on June 30, 2016 and the remaining amount of \$30,000 on or before December 31, 2016.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

11/25/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE EXISTING AGREEMENT BETWEEN OXFORD TOWNSHIP, BUTLER COUNTY, OHIO AND THE CITY OF OXFORD TO PROVIDE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO OXFORD TOWNSHIP PURSUANT TO THE AGREEMENT FOR A PERIOD OF ONE YEAR.

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

SECTION: 1 The current agreement between Oxford Township, Butler County, Ohio and the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township is set to expire on December 31, 2015.

SECTION 2: The City Manager and the Fire Chief recommend Council authorize the City Manager to extend the existing agreement with Oxford Township, Butler County, Ohio and authorizing the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township for one additional year.

SECTION 3: Council accepts the recommendation of the City Manager and the Fire Chief and hereby authorizes the City Manager to extend the existing agreement with Oxford Township, Butler County, Ohio and authorizing the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township for one additional year.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: December 1, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 23, 2015

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to extend the existing agreement between Milford Township, Butler County, Ohio and the City of Oxford to provide emergency medical services to the western portion of Milford Township pursuant to the agreement for one year.

Recommendation: Adopt the Resolution.

Discussion:

The present contract for the provision of EMS Services to the western portion of Milford Township by the City of Oxford expires on 12/31/15. It was a two year contract. Since staff has not been able to schedule a meeting to re-negotiate the contract, I am recommending that the City of Oxford extend the present contract for one additional year. Under the terms of the agreement, Milford would continue to compensate the City of Oxford \$12,200 for the year. Payment for services would be as follows: 50% or \$6,100 on June 30, 2016 and the remaining amount of \$6,100 on or before December 31, 2016.

Approved By:

Initial Date

Department Head: _____

City Manager: _____

DRE *11/25/16*

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND THE EXISTING AGREEMENT BETWEEN MILFORD TOWNSHIP, BUTLER COUNTY, OHIO AND THE CITY OF OXFORD TO PROVIDE EMERGENCY MEDICAL SERVICES TO THE WESTERN PORTION OF MILFORD TOWNSHIP PURSUANT TO THE AGREEMENT FOR A PERIOD OF ONE YEAR.

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

SECTION: 1 The current agreement between Milford Township, Butler County, Ohio and the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township is set to expire on December 31, 2015.

SECTION 2: The City Manager and the Fire Chief recommend Council authorize the City Manager to extend the existing agreement with Milford Township, Butler County, Ohio and authorizing the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township for one additional year.

SECTION 3: Council accepts the recommendation of the City Manager and the Fire Chief and hereby authorizes the City Manager to extend the existing agreement with Milford Township, Butler County, Ohio and authorizing the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township for one additional year.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of : 12/1/2015

Account Code No. : see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

11/23/2015
Date Prepared

Agenda Title:	2015 Supplemental Budget #8
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Recommendation:	Approve
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Issue 1

To reflect increase in building permit revenue and associated inspection services payment

Action Needed:

Revenue Side

General Fund (110)	17,000.00	Building permits
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Expense Side

General Fund (110)	10,000.00	Appropriation from unencumbered balance for inspection service payments
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Net Effect on Fund Balance/(s) Increase/(Decrease)	7,000.00	
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Issue 2

Hotel and Convention Tax revenue is averaging 2.15% more in 2015 compared to 2014 (through the end of November) need to increase budgeted revenue in both the General Fund and Hotel & Convention Tax Fund \$14,700 to a revised estimate of \$232,700 City will only pay the OVB actual amount received up to the additional \$13,818 and transfer to general Fund \$882.

Action Needed:

Revenue Side

General Fund (110)	14,700.00	Hotel Tax
Hotel & Convention Tax Fund (120)	14,700.00	Hotel & Convention Tax
General Fund (110)	828.00	Transfer from Hotel & Convention Tax Fund

Expense Side

Hotel & Convention Tax Fund (120)	13,818.00	Appropriation from unencumbered balance for payment to Oxford Visitor Bureau
Hotel & Convention Tax Fund (120)	882.00	Appropriation from unencumbered balance for transfer to General Fund

Net Effect on Fund Balance/(s) Increase/(Decrease)	15,528.00	
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Issue 3

Increase in budgeted Income Tax Revenue and corresponding budgeted retainer and refunds.

Action Needed:

Revenue Side

General Fund (110)	16,600.00	Income Tax Revenue
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Expense Side

General Fund (110)	16,600.00	Appropriation from unencumbered balance for retainage to RITA
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Issue 4

Adjustments necessary due to increase in budgeted medical expenses

(will only happen if expenses meets this expected level)

Action Needed:

Revenue Side

N/A

Expense Side

Employee Benefit Fund (230)	100,000.00	Appropriation from unencumbered balance for medical expenses
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(100,000.00)
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Issue 4

Adjustments necessary due to increase in budgeted Rumpke expenses - \$20,000 and salaries - \$2,500

(will only happen if expenses meets this expected level)

Increase in budgeted revenue - \$59,274

Action Needed:

Revenue Side

Refuse Fund (341)	59,274.00
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Expense Side

Refuse Fund (341)	2,500.00	Appropriation from unencumbered balance for salary expenses
Refuse Fund (341)	20,000.00	Appropriation from unencumbered balance for Rumpke expenses

Net Effect on Fund Balance/(s) Increase/(Decrease)	36,774.00
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Increase/(Decrease)	(40,698.00)
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Breakdown by Fund

General (110)	22,528.00
Hotel & Convention Tax Fund (120)	-
Employee Benefit Fund (230)	(100,000.00)
Refuse Fund (341)	36,774.00

Net Effect on Fund Balance/(s)	(40,698.00)
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Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] 11/20/15
[Signature] 11/25/15

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3286. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015.

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

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

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

General Fund 110	17,000.00
General Fund 110	14,700.00
Hotel & Convention Tax Fund 120	14,700.00
General Fund 110	828.00
General Fund 110	16,600.00
Refuse Fund 341	59,274.00

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

General Fund 110	10,000.00
Hotel & Convention Tax Fund 120	13,818.00
Hotel & Convention Tax Fund 120	882.00
General Fund 110	16,600.00
Employee Benefits Fund 230	100,000.00
Refuse Fund 341	2,500.00
Refuse Fund 341	20,000.00

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

Transfer from:	
Hotel & Convention Tax Fund 120	828.00
Transfer to:	
General Fund 110	828.00

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

General Fund 110	828.00
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SECTION 6: In all other respects, Ordinance No. 3286 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: November 17, 2015

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 12, 2015

Date Prepared

Agenda Title: An Ordinance Repealing Oxford Codified Ordinance Section 141.04 Entitled Police Advisory Board, And Adopting New Oxford Codified Ordinance Section 141.04 Entitled Police Community Relations And Review Commission.
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Discussion

In 2005 the City Council of the City of Oxford passed an ordinance to re-establish a separate Police Advisory Board (PAB). The PAB consisted of 14 Oxford residents. The purpose of the PAB was to advise the Chief of Police and the Police Division about matters relating to community policing and such other questions as may seem pertinent. For a number of reasons, the PAB quit meeting regularly several years ago and members were no longer appointed to the PAB by Council.

In October of 2013, the Community Relations Commission (CRC) was cc on a letter from the Oxford Unit of the NAACP requesting to meet with representatives of the Police Division to discuss the training of police officers relating to diversity and multicultural sensitivity, as well as disciplinary actions, taken for inappropriate behavior in those areas. Over the next six meetings of the CRC, the members continued to discuss police diversity and multicultural sensitivity training plus ways to support citizens who may have concerns about interactions with the police. One idea was to expand the role of the CRC to handle citizen complaints of alleged police misconduct. At the September 25, 2014 meeting of the CRC, the benefits of establishing a separate oversight or review board instead of expanding the role of the CRC was discussed. The CRC members and the City Manager favored this approach. In December 2014, the City Manager provided a rough draft of a proposed police oversight or review ordinance to the CRC members. When the CRC met in December 2014, the City Manager's proposed draft was rejected because it did not seem to fit our needs. Police review models from other communities were discussed over the next three CRC meetings. This past July, Pat Meade provided a proposed police oversight ordinance. Over the last four months this proposed ordinance has been discussed at CRC meetings and with members of the Oxford Police Division. It has undergone several changes and modifications since then.

On the agenda is a proposed ordinance to establish a Police Community Relations and Review Commission (PCRRC). The purpose of this commission is to improve communication between the City of Oxford Police Division and the community, increasing police accountability and credibility with the public, and to create a fair and impartial complaint process.

The Commission shall consist of seven members appointed by City Council and reflective of our community's diversity. As required by the City Charter, the City Manager or designee shall be an ex officio member without a vote. The Commission shall meet at least quarterly.

I believe this proposed commission will serve to increase the community's understanding of police work, enhancing citizen understanding of the process for handling complaints against police officers, increasing trust and confidence of the Oxford police division (OPD) especially with the minority community, and ensuring greater accountability by the OPD.

Approved By:

Department Head:

City Manager:

Initial Date

DRE 11/13/15

ORDINANCE NO. _____

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 141.04 ENTITLED POLICE ADVISORY BOARD, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 141.04 ENTITLED POLICE COMMUNITY RELATIONS AND REVIEW COMMISSION.

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

SECTION 1: Council hereby finds that it is in the best interest of the citizens of Oxford, Ohio, to repeal Oxford Codified Ordinance Section 141.04 entitled Police Advisory Board, and adopt new Oxford Codified Ordinance Section 141.04 entitled Police Community Relations and Review Commission.

SECTION 2: Council hereby repeals Section 141.04 of the Oxford Code of Ordinances and adopts new Section 141.04 as follows:

141.04 Police Community Relations and Review Commission (PCRRC)

141.041 Establishment, Purpose, Membership, and Terms

(a) The purpose of the PCRRC (hereinafter referred to as the “Commission”), is to improve communication between the City of Oxford Police Division and the community, increase police accountability and credibility with the public, and to create a fair and impartial complaint process. The objectives of the Commission are to advise the Chief of Police, the City Manager, the Civil Service Commission, and the City Council about matters relating to the policies and procedures of the Oxford Police Division (hereinafter referred to as “OPD”), the training of law enforcement personnel, hiring procedures, and such other questions as may seem pertinent to the safety and protection of the citizenry. The Commission will take citizens’ complaints about officer misconduct and review any investigation of misconduct, thereby increasing police accountability to the community and community trust in the OPD. The Commission may make recommendations concerning police policies, procedures, hiring, training, and the complaint process.

(b) The Commission shall consist of seven (7) members appointed by the City Council. All members shall be residents of the City of Oxford and be at least 18 years old at the time of appointment. Council shall endeavor to reflect community diversity in its appointments. Four members will initially be appointed to serve three-year terms and three members will initially be appointed to two-year terms. Thereafter, the Commission members shall be appointed to three-year terms. Members of the Commission shall serve without compensation.

(c) Members are encouraged to attend the Oxford Citizens Police Academy, at least one weekend late evening “ride along” with the OPD, or other training activities and events sponsored by the National Association for Civilian Oversight of Law Enforcement.

(d) City of Oxford employees shall not be eligible to be members of the Commission with the exception of the City Manager or designee who shall be an ex-officio member without a vote.

141.042 Officers, Meetings, Quorum, Rules

(a) The Commission shall elect a Chair and Vice-Chair from among its members to serve two year terms. The Chair shall conduct the meetings and the Vice-Chair shall do so in the Chair's absence. The Commission shall also elect a secretary from among its members to serve a two year term and whose responsibility will be to take minutes at each meeting of the Commission.

(b) Four (4) members shall constitute a quorum for conducting business. All recommendations and decisions of the Commission shall require the affirmative vote of four (4) members of the Commission.

(c) The Commission shall meet at least quarterly. The Chair or four (4) members of the Commission may on seventy-two (72) hour public notice call a special meeting of the Commission. Complaints will be audited; and police policies and procedures, including training and hiring, will be reviewed at the meetings. Opportunities for public comment will be made available at all meetings.

(d) At least one meeting during the year will be with the Chief of Police or a representative for a report by the OPD on data requested by the Commission.

(e) At least one meeting during the year will be designated for community outreach, for reporting to the public and keeping stakeholders informed of the Commission's work, including its recommendations regarding police policies, hiring, training, and the complaint process.

141.043 Duties

(a) The Commission may receive written citizens' complaints of law enforcement misconduct; audit the police investigation of the complaints; and make recommendations following the outcome of the investigations.

(b) The Commission shall review the investigation of any case of serious injury or death of a person arising out of or in connection with actions of peace officers employed by the OPD, regardless of whether a citizen complaint has been filed with the Commission.

(c) Upon review of operational procedures and policy implementation, the Commission may make recommendations to the Chief of Police, the City Manager, the Civil Service Commission and the City Council related to policies and procedures of the Police Department, the training of law enforcement personnel, hiring procedures, the complaint and investigative process, and such other matters as may seem pertinent to the safety and protection of the citizenry.

(d) The Commission shall host a yearly community meeting for open discussion and input from Oxford citizens and police officers.

(e) The Commission shall prepare and present a yearly report to the citizens and the City Council that analyzes data on citizen complaints, complaint disposition, investigative findings, and disciplinary actions taken by OPD. The report shall set forth any recommendations made on police policies, procedures, training, hiring, and the complaint and investigation process. The report should also summarize the yearly community meeting, designated for citizen input.

141.044 Complaint Procedure

(a) Written complaints may be filed with the Police Department, the City Clerk, or directly to the Commission by the following:

- (1) Any person who is an alleged victim of misconduct by a police officer; or
- (2) Any family member, friend, or attorney of an alleged victim of misconduct by a police officer; or
- (3) Any person who witnessed alleged misconduct by a police officer

(b) Complaints must be filed within one (1) year from the alleged police officer misconduct.

(c) Complaints shall be forwarded to the Police Chief for internal investigation.

(d) The Chief of Police or designee shall have exclusive jurisdiction over the complaint process and investigation of any City of Oxford officer. The investigation shall follow those procedures set forth in the Employee Manual and Collective Bargaining Agreement.

(e) The Chief of Police shall give as may be permitted by law prompt written notice of the results of an investigation, including any disciplinary action for a sustained complaint, to the police officer(s), the complainant(s), and the Commission.

(f) Any party involved in a complaint investigation may request a meeting with the Commission to review and discuss the findings of the investigation. The request for a meeting shall be filed in writing within thirty (30) days of the notification and submitted to the City Clerk.

(g) The City Clerk shall promptly notify the Chief of Police and the members of the Commission when a decision has been appealed. The Chief of Police shall promptly forward to each Commission member a copy of all records pertaining to the complaint and the investigation of the complaint. The requirement that the Chief of Police promptly forward to the Commission a copy of all records pertaining to the complaint shall only require the release of those records deemed to be public records. Further, to the extent any officer appeals a disciplinary decision of the Chief of Police the release of records shall be subject to the officer's appeal.

(h) Retaliation is strictly prohibited. Any retaliatory action or conduct by any person against a person who has filed a complaint, was named in a complaint, served as a witness, assisted, or participated in an investigation or in any other manner has facilitated the duties of the Commission is prohibited.

This protection against retaliation extends to any person who files a complaint, is the subject of a complaint, provides information regarding a complaint, participates in any manner in an investigation, proceeding, or hearing related to a complaint resolution.

141.045 Commission Review and Recommendation

(a) If a meeting is requested with the Commission, a review of all the complaint and investigative materials shall take place at the next Commission meeting subject to those restrictions in Section 141.044. Witnesses may be called before the Commission if it is deemed necessary to give testimony. The Chief of Police or designee and any witness may present documentary evidence, and execute documents to the Commission for its review.

(b) The Commission shall present any recommendations to the City Manager, the Chief of Police, and all involved parties.

(1) The Commission may recommend general reforms or specific actions directed at individual police officers.

(2) Nothing herein shall be construed to limit the rights and full authority of the City Manager or Chief of Police to set disciplinary policies and take other lawful actions they deem appropriate for the Police Division, including the right to give notice and a hearing when disciplinary action is being considered, in accordance with any other Ordinance of the City or a labor contract.

(d) Upon completion of the review the Commission shall publicly announce in writing its recommendations unless it finds a compelling reason to impose confidentiality consistent with the law.

(e) The City Manager and Chief of Police may accept or reject the recommendations of the Commission and shall notify the complainant and the Commission in writing of their decision.

141.046 Definitions

(a) **Complaint.** A written and sworn statement concerning police conduct which is submitted to the Commission, City Clerk, City Manager or filed directly with the City of Oxford Police Division.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: EDNA SOUTHARD

PREPARED BY: LAW (STAFF)