# CITY OF OXFORD
# STAFF SUMMARY REPORT

**Report to the City Manager**

**Council Meeting Of:** December 7, 2010

**Account Code No. #:** N/A

**Budgeted Amount:** N/A

City Manager
**Originating Department**

Doug Elliott
**Prepared By**

November 29, 2010

**Date Prepared**

**Agenda Title:** A Resolution authorizing the City Manager to enter into a new 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 pursuant to the agreement.

**Recommendation:** Adopt the Resolution

**Discussion:**
The present contract between the City of Oxford and Milford Township was signed in 1978 whereby the City of Oxford would provide Emergency Medical Services to the western portion of Milford Township for $400 per year. This is obviously out of date and does not represent a fair reimbursement for the service provided to Milford Township. If a contract amount is based on the number of calls received from Milford Township in proportion to the number of total calls, the amount owned by Milford Township would be $47,782 or 5.5%. This number provided a starting point for discussion.

A Work Session with the Milford Township Trustees was held on October 19, 2010. The trustees proposed offering the city $3,100 per year. Mayor Keebler provided information suggesting the amount should be $12,200 per year. City Council received a letter from the Milford Township Trustees on November 10, 2010 offering to pay $6,200 per year renewable every four years. Council has agreed to accept this offer for one year only so that the Milford Township Trustees can begin taking action to pay the City $12,200 the following year.

**Approved By:**

| | Initial | Date |
|---|---|---|
| Department Head: | | |
| City Attorney: | | |
| City Manager: | DAF | 12/3/10 |

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A NEW 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 PURSUANT TO THE AGREEMENT.

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

SECTION 1: The City Manager and Fire Chief recommend Council authorize the City Manager to enter into a new agreement with Milford Township, Butler County, Ohio and authorize the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township pursuant to an agreement in a form substantially similar to the agreement attached hereto as Exhibit "A" and acceptable to the Law Director.

SECTION 2: Council accepts the recommendation of the City Manager and Fire Chief and hereby authorizes the City Manager to enter into a new agreement with Milford Township, Butler County, Ohio and authorizes the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township, Butler County, Ohio pursuant to an agreement in a form substantially similar to the agreement attached hereto as Exhibit "A" and acceptable to the Law Director.

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)

Exhibit "A"

# AGREEMENT BETWEEN THE CITY OF OXFORD AND MILFORD TOWNSHIP, BUTLER COUNTY, OHIO

This **Agreement** is made and entered into this ____day of December, 2010, by and between the City of Oxford and Milford Township, Butler County, Ohio.

## WITNESSETH:

**Whereas,** Milford Township desires to avail itself of the emergency medical service offered and provided by the City of Oxford for the western 18 square mile portion of Milford Township and to fairly compensate the City of Oxford for such service; and

**Whereas,** the City of Oxford wishes to provide such services and to be fairly compensated.

Now, therefore, it is mutually agreed and undertaken by and between the parties as follows:

1. The City of Oxford, Ohio agrees to furnish Milford Township, Ohio emergency medical services in the western 18 square mile portion of Milford Township for a period beginning January 1, 2011 and continuing through December 31, 2011, unless sooner terminated by either party as provided hereafter.

2. The City of Oxford agrees to provide the above services on a twenty-four (24) hours per day, seven (7) days per week basis for the term of this agreement.

3. Milford Township agrees to compensate the City of Oxford a total sum of $6,200 for the year. Payment for services will be due as follows: $4,000 on or before January 1, 2011 of the contract year and the remaining amount of $2,200 on or before June 1 of the same year.

4. The City of Oxford shall be under no obligation to provide emergency medical service for Milford Township in the event that Milford Township defaults or intentionally terminates its payments under this agreement.

5. Oxford's response under this agreement will be limited to one squad with a minimum of two EMT's for emergency medical service (EMS) calls only. Oxford will not provide routine transportation that can be handled by private ambulance service.

6. All patient transportation will be to the McCullough-Hyde Memorial Hospital only, unless the responding Oxford Fire Department crew chief determines

transportation to Fort Hamilton Hospital is required for unique emergency care. The Oxford Fire Department will only provide transport to other facilities if there is an extreme medical need.

7. When an additional squad is required within the Milford Township service area, either at the same EMS emergency or another simultaneous EMS emergency; or when Oxford does not have adequate resources to respond due to a preceding fire or EMS incident within its coverage area, Oxford will request mutual aid response, first from the squad contracted for the Eastern half of Milford Township, then from surrounding departments. Oxford will not respond with a second squad into Milford Township except under an extreme circumstance or where mutual aid is not available.

8. Unless the initial dispatch indicates an on-scene injury or illness, Oxford will not automatically respond for stand-by on Milford Township fire dispatches within its response area except for reported structure fires. Subject to the limitations above, Oxford will respond to any fire scene for stand-by when the severity of the incident warrants as specifically requested by the Milford Township Fire Chief or officer-in-charge after their arrival on scene.

9. The Milford Township Fire Department will respond automatically on all motor vehicle accident or other rescue calls within Milford Township. The Milford Township Fire Department will respond as requested by Oxford for lifting assistance or other manpower assistance at any EMS emergency within Milford Township. The Milford Township Fire Department will be dispatched to all cardiac arrest calls for additional manpower.

10. The parties agree that negotiations for a new contract will begin no later than July 1, 2011.

11. The City agrees to provide general liability insurance with a limit of One Million Dollars ($1,000,000) and to list Milford Township as an additional insured for any and all claims related to the services performed under this agreement. Milford Township agrees to carry general liability insurance with a limit of One Million Dollars ($1,000,000) with the City of Oxford listed as an additional insured for any and all claims related to the services performed under this agreement. Each party shall be responsible for the cost of its own insurance.

12. The City of Oxford agrees to provide Milford Township with an annual report of all calls/runs in Milford Township including type of response.

13. The City of Oxford further agrees to provide Milford Township with a copy of the Comprehensive Annual Financial Report prepared by the City of Oxford, which shall include all income received and all expenses incurred by the Fire/EMS Division.

14. This Agreement constitutes the entire understanding between the parties concerning the City of Oxford's obligation to Milford Township for providing emergency medical service in the western 18 square mile portion of Milford Township, Butler County, Ohio. Any amendment or modifications to this Agreement shall only be effective when reduced to writing and signed by both parties.

15. In order to facilitate communications between the City of Oxford and Milford Township, the following individuals are designated as the persons to whom all inquiries or communication should be directed on behalf of their respective entity:

| | |
|---|---|
| City of Oxford<br>Douglas R. Elliott Jr.<br>City Manager<br>101 E. High St.<br>Oxford, OH 45056 | Milford Township<br>Russ McMillian, President<br>Milford Township Trustee<br>1414 Trenton Oxford Road<br>Oxford, OH 45056 |

16. This contract shall become effective upon its execution by both parties. Executed on the day and date first above written.

| | |
|---|---|
| **CITY OF OXFORD, OHIO** | **MILFORD TOWNSHIP** |
| ____________________<br>Douglas R. Elliott, Jr.<br>City Manager<br>Pursuant to Resolution<br>No. | ____________________<br>Russ McMillian<br>Board President |
| | ____________________<br>Paul Gillespie<br>Trustee |
| | ____________________<br>Brad Mills<br>Trustee |

# CITY OF OXFORD
# STAFF SUMMARY REPORT

**Report to the City Manager** | **Finance** — **Originating Department**

**Meeting Of: 12/07/10** | **Joe Newlin** — **Prepared By**

**Account Code No.: N/A**

**Budgeted Amount: N/A** | **11/20/10** — **Date Prepared**

**Agenda Title: An Ordinance providing for the issuance of not to exceed $3,460,000 Water Supply System refunding bonds and declaring an emergency.**

**Recommendation: Approve**

**Discussion:**

**Refunding of Water System Bonds**

This ordinance is a result of current market conditions being favorable to refinance our outstanding Water Supply System debt. Exhibit "A" discusses current technical factors affecting the Municipal market. Exhibit "B" is an example of the NPV savings based on the market as of November 17, 2010. Exhibit "C" is an example of the NPV savings if the market improves by 25 basis points. As a benchmark set by the Ohio Municipal League a 3% savings is the target savings you look for in refinancing debt. If the market improves in the first quarter, this legislation gives us the authority to proceed with the refinancing, by just passing this ordinance; we are not bound to proceed. As always we will monitor the market and proceed with the guidance of our Underwriters partner's at RBC Capital Markets.

| **Approved By:** | | **Initial** | **Date** |
|---|---|---|---|
| | **Department Head:** | JN | 11/30/10 |
| | **City Manager:** | [illegible] | 12/3/10 |

**Joe Newlin** Exhibit "A"

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**From:** RBCCMMuniFinance@rbccm.com
**Sent:** Wednesday, November 17, 2010 5:49 PM
**To:** Joe Newlin
**Subject:** Technical Factors Pressuring the Municipal Market (RBC SPARC)

RBC Capital Markets® RBC Insight

# Technical Factors Pressuring the Municipal Market

**Trading Indicator : none**

Posted by Chris Mauro on Wednesday, November 17 2010, 11:19 AM ET

The municipal market has come under pressure in recent weeks due to a powerful combination of technical factors. Municipal yields in 10 and 30 years, as measured by Municipal Market Data's AAA curve, have backed up 42 basis points and 56 basis points, respectively, since November 1. This downturn in the market appears temporary in nature, a result of the overall weakened conditions in the fixed income market after the institution of the new round of the Federal Reserve's quantitative easing program, a massive new issue municipal calendar, weakening mutual fund demand, and federal level issues which appear to be resolving themselves in a manner not particularly beneficial to munis. However, we note that this market activity is not related to credit quality concerns, despite ongoing headlines in the press about state and local fiscal problems.

It is important to note that, until the rally in the treasury market yesterday, muni yields, particularly through 10 years, had generally tracked the move in treasuries, with long munis somewhat weaker. Beyond this, the principal factor pressuring muni prices has been a significant supply/demand imbalance in recent weeks. Municipal 30-day visible supply, as calculated by Bloomberg, which had been hovering around $15 billion throughout October, spiked to over $26 billion on November 16. At the same time, flows into municipal bond funds, according to Lipper FMI, have been decidedly weaker over the last few weeks. Whether this drop is a reaction to negative headlines in the press or the sharp price drops in some leveraged closed-end funds is unclear. Nevertheless, this weakness in demand combined with a heavy new issue calendar is making for a very difficult price environment for munis.

Beyond this, the recent national election has created uncertainty for the muni market on two fronts. First, the market had assumed that, given the statements out of the Administration for the better part of a year, federal income tax rates would increase on January 1 for top bracket taxpayers. This, naturally, would increase the attractiveness of tax-exempt municipal. However, the Republican takeover of the House of Representative, combined with several conciliatory statements by individuals in the Administration, appear to have increased the likelihood that the current tax rates will be maintained, at least temporarily, for all taxpayers, thereby

"Exhibit 'A'" Continued

potentially decreasing some of the demand for munis. More importantly, there is significant uncertainty regarding the extension of the Build America Bond (BABs) program. These taxable municipal bonds, whose interest cost is subsidized 35% by the federal government, were authorized under the federal stimulus act. The BABs authorization is set to expire at the end of this year. These bonds have accounted for approximately 25% of total issuance in the municipal market and have taken much of supply out of the long end of the tax-exempt market. Since the election, the market has grown more pessimistic about the prospect for Congressional renewal of this program before the end of the year. As a result, many issuers have pushed their deals into the last two months of the year in an attempt to lock-in the 35% federal subsidy prior to the December 31 expiration of the program. Additionally, without a BABs renewal, all new issue supply in 2011 will come as tax-exempts, potentially increasing tax-exempt volume by 25% over 2009 and 2010 levels, particularly on the long end forcing the market to adjust.

We stress again that this current weakness in munis is driven by technical factors not credit factors and should correct itself once the market gets through this year-end supply glut and gets some clarity on federal policy. However, we caution that while there is nothing new on the credit front to drive the market, we do anticipate that the upcoming 2012 state budget cycle, which begins in February, will be as difficult as the 2011 cycle was and, as a result, headline risk can be expected to a part of the municipal market for well into 2012.

Click here for disclosures for Chris Mauro



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Exhibit "B"

## SUMMARY OF REFUNDING RESULTS

City of Oxford, Butler County, Ohio
2010 Bonds
***Preliminary as of 11/17/2010***

| | |
|---|---|
| Dated Date | 01/31/2011 |
| Delivery Date | 01/31/2011 |
| Arbitrage yield | 1.470913% |
| Escrow yield | 0.110984% |
| | |
| Bond Par Amount | 3,425,000.00 |
| True Interest Cost | 1.905533% |
| Net Interest Cost | 1.911171% |
| All-In TIC | 2.421177% |
| Average Coupon | 2.016469% |
| Average Life | 2.351 |
| Duration | 2.300 |
| | |
| Par amount of refunded bonds | 3,360,000.00 |
| Average coupon of refunded bonds | 3.806885% |
| Average life of refunded bonds | 2.381 |
| | |
| PV of prior debt to 01/31/2011 @ 1.470913% | 3,562,847.13 |
| Net PV Savings | 97,043.72 |
| Percentage savings of refunded bonds | 2.888206% |
| Percentage savings of refunding bonds | 2.833393% |
| Percentage savings of refunding proceeds | 2.798479% |

Exhibit "B" Continued

## SAVINGS

City of Oxford, Butler County, Ohio
2010 Bonds
***Preliminary as of 11/17/2010***

| Date | Prior Debt Service | Refunding Debt Service | Savings | Present Value to 01/31/2011 @ 1.4709126% |
|---|---|---|---|---|
| 12/01/2011 | 921,150.00 | 897,037.47 | 24,112.53 | 24,125.14 |
| 12/01/2012 | 922,530.00 | 898,787.50 | 23,742.50 | 23,268.72 |
| 12/01/2013 | 922,005.00 | 896,887.50 | 25,117.50 | 24,201.15 |
| 12/01/2014 | 919,515.00 | 894,687.50 | 24,827.50 | 23,521.77 |
| | 3,685,200.00 | 3,587,399.97 | 97,800.03 | 95,116.78 |

Savings Summary

| | |
|---|---|
| Dated Date | 01/31/2011 |
| Delivery Date | 01/31/2011 |
| PV of savings from cash flow | 95,116.78 |
| Plus: Refunding funds on hand | 1,926.94 |
| Net PV Savings | 97,043.72 |

Exhibit "C"

**SUMMARY OF REFUNDING RESULTS**

City of Oxford, Butler County, Ohio
2010 Bonds
***Preliminary as of 11/17/2010***

| | |
|---|---|
| Dated Date | 01/31/2011 |
| Delivery Date | 01/31/2011 |
| Arbitrage yield | 1.221837% |
| Escrow yield | 0.110984% |
| | |
| Bond Par Amount | 3,405,000.00 |
| True Interest Cost | 1.652830% |
| Net Interest Cost | 1.664652% |
| All-In TIC | 2.167148% |
| Average Coupon | 2.016488% |
| Average Life | 2.352 |
| Duration | 2.304 |
| | |
| Par amount of refunded bonds | 3,360,000.00 |
| Average coupon of refunded bonds | 3.806885% |
| Average life of refunded bonds | 2.381 |
| | |
| PV of prior debt to 01/31/2011 @ 1.221837% | 3,583,144.79 |
| Net PV Savings | 117,541.38 |
| Percentage savings of refunded bonds | 3.498255% |
| Percentage savings of refunding bonds | 3.452023% |
| Percentage savings of refunding proceeds | 3.390074% |

Exhibit "C" Continued

## SAVINGS

City of Oxford, Butler County, Ohio
2010 Bonds
***Preliminary as of 11/17/2010***

| Date | Prior Debt Service | Refunding Debt Service | Savings | Present Value to 01/31/2011 @ 1.2218371% |
|---|---|---|---|---|
| 12/01/2011 | 921,150.00 | 891,734.38 | 29,415.62 | 29,373.21 |
| 12/01/2012 | 922,530.00 | 893,475.00 | 29,055.00 | 28,543.96 |
| 12/01/2013 | 922,005.00 | 891,675.00 | 30,330.00 | 29,389.58 |
| 12/01/2014 | 919,515.00 | 889,575.00 | 29,940.00 | 28,616.69 |
| | 3,685,200.00 | 3,566,459.38 | 118,740.62 | 115,923.44 |

Savings Summary

| | |
|---|---|
| Dated Date | 01/31/2011 |
| Delivery Date | 01/31/2011 |
| PV of savings from cash flow | 115,923.44 |
| Plus: Refunding funds on hand | 1,617.94 |
| Net PV Savings | 117,541.38 |

ORDINANCE NO. ______________

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $3,460,000 WATER SUPPLY SYSTEM REFUNDING BONDS AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Oxford, Butler County, State of Ohio, THAT:

**SECTION 1**, The City of Oxford (the "City") previously issued $9,025,000 Water Supply System Refunding Bonds, dated November 15, 2002 (the "Prior Bonds") which were issued to refund the City's $14,965,000 Water Supply System Mortgage Revenue Bonds, dated August 1, 1992 which were issued to refund bonds originally issued (the "Original Bonds") to provide funds for the purpose of financing the costs of replacements and improvements to the City's water supply system (the "Project").

**SECTION 2**, The fiscal officer of the City has heretofore estimated that the life of the Project is at least five (5) years, and certified that the maximum maturity of the Original Bonds extends to December 1, 2014.

**SECTION 3**, Currently $3,360,000 principal amount of said Prior Bonds remain outstanding.

**SECTION 4**, The best interest of the City is to advance refund all of those Prior Bonds currently outstanding in a proposed principal amount not to exceed $3,460,000 pursuant to and as permitted by Section 133.34 of the Ohio Revised Code.

**SECTION 5**. It is necessary to issue bonds of the City (the "Bonds") in a principal amount of not to exceed $3,460,000 consisting of Current Interest Bonds as to which interest is payable on each Interest Payment Date (as defined herein) (the "Current Interest Bonds") and Capital Appreciation Bonds as to which interest is (a) compounded semiannually on the dates (each an "Interest Accretion Date") established as such in the bond purchase agreement for the proposed bonds (the "Bond Purchase Agreement") and (b) payable only at maturity (the "Capital Appreciation Bonds") in such respective principal amounts as shall be set forth in the Bond Purchase Agreement for the purpose of refunding the Prior Bonds which were issued to refund the City's $14,965,000 Water Supply System Mortgage Revenue Bonds, dated August 1, 1992 which were issued to refund the Original Bonds issued to provide funds for the purpose of financing the costs of replacements and improvements to the City's water supply system; including costs related to the refunding of the Prior Bonds.

**SECTION 6**. The Bonds shall be issued in such principal amount for the purpose aforesaid. The Current Interest Bonds shall be dated as stated in the Bond Purchase Agreement which the Finance Director is hereby authorized to sign, numbered from R-1 upwards in order of issuance, of the denominations of $5,000 or any integral multiple thereof. The Capital

Appreciation Bonds shall be dated the date of closing of the Bonds, shall be in the aggregate principal amount as set forth in the Bond Purchase Agreement and shall be numbered from CAB-1 upwards in order of issuance, of the denominations equal to the principal amounts that, when interest is accrued and compounded thereon from their respective dates on each Interest Accretion Date, will equal a $5,000 Maturity Amount (which means, with respect to a Capital Appreciation Bond, the principal and interest due and payable at the stated maturity of this Capital Appreciation Bond) and any integral multiples thereof. Each Bond shall be of a single maturity, and shall bear interest at rates per annum indicated in the Bond Purchase Agreement. Interest shall be payable on the Current Interest Bonds on June 1 and December 1, commencing June 1, 2011 or as otherwise set forth in the Bond Purchase Agreement and semiannually thereafter on the first day of June and the first day of December of each year (the "Interest Payment Date"), until the principal sum is paid. The Bonds shall mature on December 1 in each year and in such amounts as designated in the Bond Purchase Agreement. It is determined by the Council that the issuance of the Bonds in one lot as provided herein is necessary and will be in the best interest of the Council. The last maturity of the Bonds shall not be later than the year of last maturity permitted by law for the Original Bonds

The total interest on each Capital Appreciation Bond as of any date shall be an amount equal to the difference between the Compound Accreted Amount of such Capital Appreciation Bond as of such date and the principal amount of such Capital Appreciation Bond. "Compound Accreted Amount" means with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination, as set forth in the Exhibit to the Bond Purchase Agreement as of any Interest Accretion Date of the respective Capital Appreciation Bonds, and as determined in accordance with this section as of any other date.

The Compound Accreted Amount of the Capital Appreciation Bonds of each maturity as of each Interest Accretion Date shall be set forth in the Exhibit to the Bond Purchase Agreement. The Compound Accreted Amount of any Capital Appreciation Bond for each maturity as of any other date shall be (a) the Compound Accreted Amount for such Capital Appreciation Bond on the immediately preceding Interest Accretion Date plus (b) the product of (i) the difference between (A) the Compound Accreted Amount of that Capital Appreciation Bond on the immediately preceding Interest Accretion Date and (B) the Compound Accreted Amount of that Capital Appreciation Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to (but not including) the date of determination (determined on the basis of a 360-day year comprised of twelve 30-day months) to (D) the number of days from that immediately preceding Interest Accretion Date to (but not including) the immediately succeeding Interest Accretion Date (determined on the basis of a 360-day year comprised of twelve 30-day months); provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the closing date of the Bonds shall be deemed to be immediately preceding the Interest Accretion Date and the original principal amount of that Capital Appreciation Bond shall be deemed to be the Compound Accreted Amount on the closing date of the Bond issue.

**SECTION 7**. For purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this City is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Bonds shall be initially issued only to a securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds, and to effect transfers of beneficial interests in Bonds, and includes and means initially The Depository Trust Company (a limited purpose trust company) New York, New York ("Depository") for use in a form or system under which the physical Bond certificates in fully registered form are issued only to a Depository or its nominee as registered owner, with the certificated Bonds held and "immobilized" in the custody of the Depository, and the book entry system, maintained by and the responsibility of the Depository and not maintained by or the responsibility of the Council, is the record that identifies, and records the transfers of the beneficial interests of the owners of the Bonds (the "Book Entry System" or "Book Entry Form" and: (i) those Bonds shall be registered in the name of the Depository or its nominee as registered owner, and immobilized in the custody of the Depository; and (ii) those Bonds shall be transferable or exchangeable in accordance with this ordinance, provided that so long as a Book Entry System is used for the Bonds, the Bonds may only be transferred to another Depository or to another nominee of a Depository without further action by the Council pursuant to this section. The Council may, and may require the paying agent and registrar as identified in the Bond Purchase Agreement, including by an exhibit thereto (the "Paying Agent and Registrar") to transfer the Bonds from one Depository to another Depository at any time.

Notwithstanding any other provision of this ordinance or any Bond to the contrary, with the approval of the Council, the Paying Agent and Registrar may enter into an agreement with a Depository, or the nominee of a Depository, that is the registered owner of a Bond in the custody of that Depository providing for making all payments to that registered owner of principal of and interest and any premium on that Bond or any portion of that Bond (other than any payment of its entire unpaid principal amount) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and the Council. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal and premium is due, or, with respect to the payment of interest, as of the applicable Interest Payment Date or other date agreed upon, as the case may be. The Paying Agent and Registrar will furnish a copy of each of those agreements, certified to be correct by an officer of the Paying Agent and Registrar to the Council. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this ordinance.

If any Depository determines not to continue to act as a Depository for the Bonds in a Book Entry System, the Council may attempt to have established a securities depository/Book Entry System relationship with another qualified Depository under this ordinance. If the Council does not or is unable to do so, the Council and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by appropriate notice to the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form, in denominations of $5,000 or integral multiples thereof, to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing or otherwise preparing, and delivering, replacement Bonds) of those persons requesting that authentication and delivery, unless Council action or inaction shall have been the cause of the termination of the Book Entry System, in which event such cost and expense shall be borne by the Council.

**SECTION 8**. The Current Interest Bonds maturing on December 1, in the years, if any, designated in the Bond Purchase Agreement, may be subject to mandatory sinking fund redemption at a redemption price of 100% of the principal amount to be redeemed plus accrued interest to the date of redemption on December 1 in the years and in the respective principal amounts as set forth in the Bond Purchase Agreement.

**SECTION 9**. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this ordinance. The Bonds shall be in fully registered form and shall bear the signatures of the City Manager and Finance Director, provided that either or both of such signatures may be facsimile signatures, and shall bear the manual authenticating signature of an authorized officer of the Paying Agent and Registrar for the Bonds. The principal amount of each Current Interest Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be mailed on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be designated "Water Supply System Refunding Bonds."

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Council and the

Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying agent and Registrar. Upon such transfer, a new Bond of Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Council and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the Council nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Finance Director may execute the letter of representations with the Depository and the Paying Agent and Registrar Agreement in connection with the issuance of the Bonds.

**SECTION 10.** The Bonds shall be sold in the aggregate to RBC Capital Markets, Cincinnati, Ohio, (the "Underwriter") at not less than ninety-seven percent (97%) of their principal amount and accrued interest, in accordance with the Bond Purchase Agreement to be executed by the Finance Director, and the proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, which shall include payment of the outstanding principal amount of and any redemption premium on the Prior Bonds and any expenses relating to the refunding of the Prior Bonds or the issuance of the Bonds, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Bonds in the manner provided by law.

**SECTION 11**. There is hereby created an Escrow Fund (the "Escrow Fund") to be held by the bank designated as Escrow Trustee (the "Escrow Trustee") pursuant to an Escrow Agreement (the "Escrow Agreement") signed by the Finance Director or City Manager and by the Escrow Trustee. The Finance Director or City Manager is hereby authorized to execute and deliver the Escrow Agreement with the Escrow Trustee for the refunding defeasance of a portion of the Original Bonds in such form as the Finance Director or City Manager may approve, the execution thereof by the Finance Director or City Manager to be conclusive of such authorization and approval. Proceeds of the Bonds in the amount determined necessary shall be deposited in the Escrow Fund and invested in direct obligations of, or obligations guaranteed as to payment by, the United States to retire the Prior Bonds pursuant to the terms of the Escrow Agreement. An independent public accounting firm or nationally recognized bond counsel shall be retained as verification agent to determine the sufficiency of the Escrow Fund deposit and interest earnings thereon for the payment of debt charges on the Prior Bonds be refunded.

**SECTION 12**. The Bonds shall be the full general obligations of the City and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. Any excess fund resulting from the issuance of the Bonds, shall to the extent necessary be used only for the retirement of the Bonds at maturity, together with interest thereon and is hereby pledged for such purpose.

**SECTION 13**. During the period which the Bonds run, there shall be levied upon all of the taxable property in the City, in addition to all other taxes, a direct tax annually within the limitations of Section 2 of Article XII of the Constitution of Ohio, in an amount sufficient to pay the principal of and interest on the Bonds when and as the same fall due. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years and certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that revenues from other sources (the anticipated repayment revenues), are available for the payment of the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such revenues so available and appropriated.

**SECTION 14**. This Council hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, and take such other actions as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to Federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder, and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Bonds. The Finance Director or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the Council on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

The Bonds are hereby deemed designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3)(B) of the Code.

**SECTION 15**. The Clerk of Council is hereby directed to forward a certified copy of this ordinance to the Butler County Auditor.

**SECTION 16**. A summary of this ordinance shall be prepared by the Clerk of Council, approved by the Law Director and published on adoption, in a newspaper of general circulation in the City.

**SECTION 17**. The City Manager and the Finance Director are each hereby authorized to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

**SECTION 18**. It is found and determined that all formal actions of this City Council concerning and relating to the adoption of this ordinance were taken in open meetings of this City Council, and that all deliberations of this City Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public, in compliance with the law.

**SECTION 19**. The Finance Director and the City Manager are each hereby separately authorized, alone or with others, on behalf of the Council to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of the City, which shall be in such form as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule. Such officers are hereby authorized to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the City, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the City to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

**SECTION 20**. This Council hereby authorizes the Finance Director to take all steps necessary to obtain one or more municipal bond ratings and, if deemed advisable, a policy of municipal bond insurance for the Bonds. The Council hereby agrees to and shall be bound by all terms and conditions of said policy (and the commitment issued therefore) if purchased by the City.

**SECTION 21**. This Council hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Council to comply with its obligations under this section and the Continuing Disclosure Certificate.

**SECTION 22**. It is hereby determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make the same legal, valid and binding obligations of this City have happened, been done and performed in regular and due form as required by law in compliance with the City Charter; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Bonds.

**SECTION 23**. An emergency is declared to exist to provide timely issuance of the Bonds to realize debt service savings, and passage of this ordinance as an emergency ordinance is necessary for the immediate preservation of the public peace, health, safety, morals and welfare. Therefore, this ordinance shall become effective immediately upon passage.

PASSED this ____ day of December, 2010.

______________________________
Mayor

Attest:

______________________________
Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. _________________.

_________________________________
Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing Ordinance was certified this day to the Butler County Auditor.

_________________________________
Clerk of Council

Dated: December ___, 2010

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing Ordinance.

_________________________________
Butler County Auditor

Dated: December ___, 2010

*128709*

## EXTRACT FROM MINUTES OF MEETING

The Council of the City of Oxford, Ohio, met in ____________ session at _____ p.m. on the ____ day of December, 2010, at ______________________________________________________, Oxford, Ohio with the following members present:

There was presented and read to Council by title only Ordinance No. _________ entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $3,460,000 WATER SUPPLY SYSTEM REFUNDING BONDS AND DECLARING AN EMERGENCY.

________________________ then moved that Ordinance No. _____________ be passed. ________________________ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The Ordinance was declared passed December ____, 2010.

## CERTIFICATE

The undersigned, clerk of Council, hereby certifies that the foregoing is a true and correct extract from the minutes of meeting of the Council of said city, held on the ____ day of December, 2010, to the extent pertinent to consideration and passage of the above-entitled legislation.

_______________________________________
Clerk of Council

<u>TRANSCRIPT CERTIFICATE</u>

The undersigned, clerk of Council of said municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

______________________________

Clerk of Council

*128709*

# CITY OF OXFORD
# STAFF SUMMARY REPORT

**Report to the City Manager**

City Manager
**Originating Department**

**Council Meeting Of:** December 7, 2010

Doug Elliott
**Prepared By**

**Account Code No. #:** N/A

**Budgeted Amount:** N/A

November 29, 2010
**Date Prepared**

**Agenda Title:** Ordinance Repealing Oxford Code Of Ordinances Chapter 919, Advisory Utilities Commission.

**Recommendation:** Adopt the Ordinance

**Discussion:**

The City Manager and Service Director recommend that the Advisory Utilities Commission be eliminated. The Commission has been inactive for at least the last three years and its purpose of advising Council on public utility matters is no longer required since the City utilizes an independent consultant on natural gas utility issues and the State of Ohio has eliminated the ability of local governments to negotiate cable franchise agreements.

Pursuant to Section 8.11 of the City Charter, Council may create and abolish advisory boards, commissions and committees as may be deemed necessary. (Exceptions: The Civil Service Commission, Planning Commission, Board of Zoning Appeals and the Recreation Board.)

**Approved By:**

| | Initial | Date |
|---|---|---|
| Department Head: | | |
| City Attorney: | | |
| City Manager: | DTE | 12/3/10 |

**ORDINANCE NO.**

ORDINANCE REPEALING OXFORD CODE OF ORDINANCES CHAPTER 919, ADVISORY UTILITIES COMMISSION.

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

SECTION 1: After reviewing the mission, functions and responsibilities of the Advisory Utilities Commission, which was established on February 21, 1978, by Ordinance No. 1470, the City Manager and Service Director recommend that Chapter 919 of the Oxford Code of Ordinances be repealed, thereby discontinuing the Advisory Utilities Commission.

SECTION 2: City Council hereby accepts the recommendation of the City Manager and the Service Director and repeals Chapter 919, Advisory Utilities Commission of the Oxford Code of Ordinances.

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

______________________________
MAYOR

ADOPTED:

ATTEST:

______________________________
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF(LAW)

# CITY OF OXFORD
# STAFF SUMMARY REPORT

**Report to the City Manager**

**City Council Meeting of:** December 7, 2010

**Account Code #:** Not Applicable

**Budgeted Amount:** Not Applicable

Service Department
**Originating Department**

Michael B. Dreisbach
**Prepared By**

November 19, 2010
**Date Prepared**

**Agenda Title: Notice of Actual Costs for Special Assessment Improvements**

**Recommendation: Approve**

**Discussion:**

On May 4, 2010, the Oxford City Council adopted Resolution No. 4536 declaring the necessity to improve portions of certain properties on multiple streets in the City of Oxford. An exhibit with this Resolution identified 39 properties that required improvements to the property's curb & gutter, sidewalk, and/or driveway apron. An estimate of probable cost was prepared for all property deficiencies with an estimated cost of $87,694.00.

City Staff prepared project drawings and specification for improvements to the subject properties and advertised for bids to perform this work. On August 3, 2010, the Oxford City Council adopted Resolution No. 4553 authorizing a construction contract with Innovative Concrete and Utility Construction, Inc. for an amount of $59,134.00. This work was satisfactorily performed and has been accepted by the City.

Per Ohio Revised Code 729.07, the attached Exhibit "A" details the ACTUAL costs associated with the construction and/or repair of sidewalks, curbs, gutter, and driveway aprons. The actual costs were approximately 68% of the estimate.

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

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

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

**Approved By:**

| | Initial | Date |
|---|---|---|
| Department Head: | MBD | 11/22/10 |
| City Manager: | DRK | 12/3/10 |

**RESOLUTION NO.**

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

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

SECTION I: Pursuant to Ohio Rev. Code 729.07, the City of Oxford Clerk of Council has reported to the Oxford City Council that the final cost of construction and repair of sidewalks, curbs and gutters was $59,134.00.

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

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

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

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

SECTION VI: This Resolution 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)

## Curb, Gutter, Sidewalk, and Driveway Apron Assessments

***Exhibit "A"***

| Address | Direction | Street Name | Parcel # | Lineal Ft Curb | Square Feet Sidewalk | Square Ft Drive Apron | Date of Letter Expiration | Estimated Cost | Actual Cost |
|---|---|---|---|---|---|---|---|---|---|
| 102 | | Oberlin | H4100103000047 | 73 | 50 | | 11/13/2009 | $ 2,394.00 | **$1,614.33** |
| 1 | | Wooster | H4100103000048 | 69 | 25 | | 11/13/2009 | $ 2,107.00 | **$1,420.80** |
| 2 | W | Spring | H4000003000059 | 70 | 335 | | 11/13/2009 | $ 4,305.00 | **$2,902.96** |
| 3 | E | Spring | H4000103000072 | 20 | 25 | | 11/13/2009 | $ 735.00 | **$495.63** |
| 3 | E | Walnut | H4100003000103 | 55 | 150 | | 11/13/2009 | $ 2,590.00 | **$1,746.49** |
| 9 | S | Main | H4100003000096 | 5 | | | 11/13/2009 | $ 140.00 | **$94.41** |
| 3 | W | Central | H4100106000056 | 95 | | | 11/13/2009 | $ 2,660.00 | **$1,793.70** |
| 112 | S | Main | H4000003000068 | 10 | 150 | | 11/13/2009 | $ 1,330.00 | **$896.85** |
| 117 | S | Main | H4100003000109 | | 50 | | 11/13/2009 | $ 350.00 | **$236.01** |
| 120 | S | Main | H4100003000065 | 100 | 525 | 132 | 11/13/2009 | $ 7,531.00 | **$5,078.32** |
| 121 | S | Main | H4100003000110 | 77 | 230 | | 11/13/2009 | $ 3,766.00 | **$2,539.50** |
| 214 | S | Main | H4000003000060 | | 25 | | 11/13/2009 | $ 175.00 | **$118.01** |
| 315 | S | Main | H4000103000068 | 10 | 150 | | 11/13/2009 | $ 1,330.00 | **$896.85** |
| 309 | S. | Main | H4100103000070 | 5 | 175 | | 11/13/2009 | $ 1,365.00 | **$920.45** |
| 302-302 1/2 | S | Main | H4000103000007 | 54 | 100 | | 11/13/2009 | $ 2,212.00 | **$1,491.60** |
| Vacan Lot | S | Main | H4000103000016 | 70 | 125 | | 11/13/2009 | $ 2,835.00 | **$1,911.70** |
| 418 | S | Main | H4000103000023 | 20 | 50 | | 11/13/2009 | $ 910.00 | **$613.63** |
| 516 | S | Main | H4000103000029 | 46 | 465 | | 11/13/2009 | $ 4,543.00 | **$3,063.44** |
| 518 | S | Main | H4100103000030 | 40 | 180 | 220 | 11/13/2009 | $ 4,140.00 | **$2,791.69** |
| 520 | S | Main | H4100103000031 | 35 | 265 | 64 | 11/13/2009 | $ 3,347.00 | **$2,256.96** |
| 604 | S | Main | H4000106000015 | 60 | 50 | 70 | 11/13/2009 | $ 2,590.00 | **$1,746.49** |
| 606 | S | Main | H4000106000016 | 15 | 25 | | 11/13/2009 | $ 595.00 | **$401.22** |
| 610-612 | S | Main | H4000106000022/H4000106000021 | 245 | 560 | | 11/13/2009 | $ 10,780.00 | **$7,269.19** |
| 613 | S. | Main | H4000106000057 | 86 | 50 | | 11/13/2009 | $ 2,758.00 | **$1,859.78** |
| 708 | S | Main | H4100106000055 | 25 | 150 | 100 | 11/13/2009 | $ 2,550.00 | **$1,719.52** |
| 710 | S | Main | H4000106000054 | 58 | 150 | 48 | 11/13/2009 | $ 3,058.00 | **$2,062.08** |
| 804 | S | Main | H4100106000049 | | | 50 | 11/13/2009 | $ 400.00 | **$269.73** |
| Empty Lot | N. | Main | H4000007000078 | 15 | 50 | 54 | 11/13/2009 | $ 1,202.00 | **$810.54** |
| 114 | N. | Main | H4100007000050 | | 50 | | 11/13/2009 | $ 350.00 | **$236.01** |
| 200 | N. | Main | H4100007000056 | 20 | 275 | | 11/13/2009 | $ 2,485.00 | **$1,675.69** |
| 204 | N. | Main | H4000007000057 | | 25 | 40 | 11/13/2009 | $ 495.00 | **$333.79** |
| 215 | N. | Main | H4100007000087 | | 400 | 221 | 11/13/2009 | $ 4,568.00 | **$3,080.30** |
| 304 | N. | Main | H4000007000067 | 15 | 150 | 91 | 11/13/2009 | $ 2,198.00 | **$1,482.16** |
| 310 | N. | Main | H4100007000069 | 10 | 50 | | 11/13/2009 | $ 630.00 | **$424.82** |
| 314 | N. | Main | H4100007000070 | 5 | | | 11/13/2009 | $ 140.00 | **$94.41** |
| 315 | N. | Main | H4000007000077 | 15 | 125 | 42 | 11/13/2009 | $ 1,631.00 | **$1,099.82** |
| 318 | N. | Main | H4000007000073 | 15 | 25 | 63 | 11/13/2009 | $ 1,099.00 | **$741.08** |
| 319 | N. | Main | H4100007000075 | | 150 | | 11/13/2009 | $ 1,050.00 | **$708.04** |
| 322 | N. | Main | H4100007000072 | | 50 | | 11/13/2009 | $ 350.00 | **$236.02** |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | TOTAL | | $ 87,694.00 | $59,134.00 |
| | | | Build price was 67.7432% of estimate | | | | | | |

# CITY OF OXFORD
# STAFF SUMMARY REPORT

| | | |
|---|---|---|
| Report to the City Manager: | **Douglas Elliott** | **Police**<br>Originating Department |
| Council Meeting Of: | **December 7, 2010** | |
| Account Code No. #: | **N/A** | **R.B. Holzworth**<br>Prepared By |
| Budgeted Amount: | **N/A** | **November 9, 2010**<br>Date Prepared |

**Agenda Title: A resolution to provide free 2-hr parking at meters on High Street, East and West Park, a portion of Lot 52, and Poplar, Main and Beech Streets, between Church and Walnut during the 2010 Christmas / New Year holiday season.**

**Recommendation: Approve**

**Discussion:**

The Parking Unit recommends that FREE 2-hr holiday parking be provided at the meters on High Street, East Park Place, West Park Place, Poplar Street, Main Street and Beech Street between Walnut & Church, and the southern section of Lot 52, starting on Monday, December 20, 2010, at 9:00 a.m. and ending on Friday, December 31, 2010, at 6:00 p.m. Parking is free on January 1, 2011, at all meters and normal operations will resume on Monday, January 3, 2011.

The meters will be bagged with red, plastic covers that read as follows: "Happy Holidays, FREE PARKING (2HR LIMIT)." This has been well received my merchants and shoppers in the past and will hopefully be an incentive for people to come uptown to shop and/or dine.

The OPTAB (Oxford Parking & Transportation Advisory Board) reviewed this proposal at their November 8, 2010, meeting and endorses this request.

**Approved By:**

| | Initial | Date |
|---|---|---|
| **Department Head:** | SDS | 11/16/10 |
| **City Attorney:** | | |
| **City Manager:** | DRE | 12/3/10 |

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE PARKING METER FEES ON HIGH STREET, EAST PARK PLACE, WEST PARK PLACE, POPLAR STREET, MAIN STREET AND BEECH STREET BETWEEN WALNUT STREET AND CHURCH STREET, AND IN THE SOUTHERN (2-HR) SECTION OF LOT 52 FROM 9:00 A.M. ON DECEMBER 20, 2010 UNTIL 6:00 P.M. ON DECEMBER 31, 2010. THE TWO HOUR RESTRICTION FOR METERS IN THESE LOCATIONS WILL REMAIN IN EFFECT.

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

SECTION 1: The City Manager recommends approval of the proposal of the Police Chief to waive parking meter fees on High Street, East Park Place, West Park Place, Poplar Street, Main Street and Beech Street between Walnut Street and Church Street, and in the southern (2-hr) section of Lot 52 from 9:00 a.m. on December 20, 2010, until 6:00 p.m. on December 31, 2010. The two hour restriction for meters in these locations will remain in effect.

SECTION 2: Council hereby accepts the recommendation of the City Manager and Police Chief and authorizes the City Manager to waive parking meter fees on High Street, East Park Place, West Park Place, Poplar Street, Main Street and Beech Street between Walnut Street and Church Street, and in the southern (2-hr) section Lot 52 from 9:00 a.m. on December 20, 2010 until 6:00 p.m. on December 31, 2010. The two hour restriction for meters in these locations will remain in effect.

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:** December 7, 2010

Kathryn A. Dale
**Prepared By**

**Account Code No. #:**

**Budgeted Amount:**

November 18, 2010
**Date Prepared**

| | |
|---|---|
| **Agenda Title:** | **Board of Zoning Appeals Meeting Report – November 17, 2010** |
| **Recommendation:** | **N/A** |

**DISCUSSION:**

***Public Hearing:***

***BZA-13-2010*** ***6025 Fairfield Road****, variance to Section 1151.05(b)(1)A&B, to allow for the installation of a wall sign measuring larger than the allowable square footage and more signs on the site than permitted,* ***City of Oxford, Applicant (appearing by Gail Brahier of the City's Parks & Recreation Department, with a letter of agency from the Talawanda Recreation, Inc. as landlord)***

The Applicant proposed to install a 6' x 8' (48 sq.ft) wall sign on the east facing wall of the Tri-Building for the purpose of identifying the City of Oxford's Parks & Recreation Department. The sign ordinance states that for nonresidential uses in a residential district the sign shall not exceed 12 sq. ft. and shall only be permitted to have a wall or ground sign, but not both. There is currently a ground sign at the intersection that identifies the building as the Tri-Community Center.

The Staff Report noted that the Tri-Building is in a residential district, but abuts a commercial district where larger signage is permitted. In the opinion of Staff, the request to allow the additional wall sign was not a substantial request, but suggested the size be limited to 24 sq. ft. instead of the requested 48 sq.ft. The rationale for this modification is to acknowledge the use is non-residential, yet respect the residential zoning district, all while accomplishing the goal of having a visible sign. It would also keep the size of the sign more consistent with the existing signage in the adjoining commercial district.

The Applicant testified as to the need for greater visibility but did not contest any information presented in the Staff Report. The Applicant did verbally modify the pending request by asking the Board to consider a 5' x 7' sign (35 sq.ft.) instead of the requested 48 sq.ft.

The Board discussed the size and type of other non-residential signs in the area for uses that are in the residential zoning district (Senior Center & Nursing Homes), as well as the signage in the adjoining commercial district. Overall, members of the Board agreed that the sign would be disproportionately large at either 48 sq.ft. or 35 sq.ft. There was also discussion as to limiting the applicability of any variances to the current use of this property, as it would be unnecessary if the property were redeveloped in the future as a single or two-family residential property.

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

1.) The property in question will continue to yield a reasonable return and can be used beneficially without the variance because the property will continue to be used for the Community Center and Parks & Recreation Department.
2.) The request for a 48 sq.ft. sign is substantial as it relates to the underlying zoning requirements for signage in a Residential District; however, the request for the additional wall signage is not substantial due to the 200 foot building setback and size of the building. The board finds that a reduction in the proposed signage to 24 sq.ft. would be less substantial when taking into consideration the other signage along this street and would be a compromise between the residential and commercial sign requirements.

3.) The essential character of the neighborhood would not be substantially altered, nor would adjoining properties suffer a substantial detriment, by granting a variance to allow both a wall and ground sign. However, a sign as large as 48 sq.ft. or 35 sq.ft. would substantially alter the character of the neighborhood, whereas a smaller variance to allow 24 sq.ft. would alleviate the Applicant's visibility issues while preserving the essential character of the neighborhood. In addition, limiting the variance to 24 sq.ft. would not confer a special privilege in a residential zoning district beyond what would otherwise be permitted in the adjacent commercial district.

4.) There were no comments received from the various City Departments indicating any detrimental effect on government services.

5.) The Applicant's predicament could be addressed by a means other than a variance by approaching the landlord of the property (TRI) to switch the existing ground sign to indentify the tenant rather than the ownership of the building, but it was unclear that the visibility concerns would be entirely obviated by such a change.

6.) The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance, limited to 24 sq.ft. because they are the minimum variances necessary and remain in keeping with the overall character of the neighborhood.

After considering and weighing these facts and circumstances, the Board found that practical difficulty was shown sufficient to warrant granting the variance to Sections 1151.05(b)(1)A & B to allow for an additional sign that also exceeds the required square footage and voted 5-0-0 to ***APPROVE*** the application with the following conditions:

1.) That, the wall sign size be reduced to 24 sq. ft.

2.) That, the variances are granted as being necessary for the property's current use, and shall expire or terminate upon any conversion of the property to residential use.

***New Business/Old Business:*** None.

The next regular meeting scheduled for December 15, 2010 has been CANCELLED due to there being no cases to be heard.

| **Approved By:** | | **Initial** | **Date** |
|---|---|---|---|
| | **Department Head:** | MC | 11/22/10 |
| | **City Attorney:** | | |
| | **City Manager:** | DRK | 12/3/10 |

# CITY OF OXFORD
# STAFF SUMMARY REPORT

**Report to the City Manager**

**Finance**
**Originating Department**

**Council Meeting Of: 12/07/10**

**Heidi Hill**
**Prepared By**

**Account Code No. ____________________**

**Budgeted Amount: ____________________**

**11/08/2010**
**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 2011 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:** | | **Initial Date** |
|---|---|---|
| | **Department Head:** | 11/29/10 |
| | **City Manager:** | DAE 12/3/10 |

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST ADVANCED PAYMENT OF PROPERTY TAXES TO THE CITY 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 the City Manager**

City Manager
**Originating Department**

**Council Meeting Of:** December 7, 2010

Doug Elliott
**Prepared By**

**Account Code No. #:** N/A

**Budgeted Amount:** N/A

November 30, 2010
**Date Prepared**

**Agenda Title:** An Ordinance authorizing the annexation of 47.069 acres of contiguous territory and directing the City Attorney to prosecute the proceedings necessary to effect said annexation.

**Recommendation:** Adopt the Ordinance

**Discussion:**

During the discussion of the income tax levy, the City of Oxford identified several parcels contiguous to the City corporate boundaries that may yield additional income tax revenue to the City. The Yager Stadium parcel was one of them. The City wishes to annex that parcel and Miami University has no objections. Since this parcel is tax exempt, the City's action will not cause a loss in property tax revenue to Oxford Township. It will, of course, remain in the incorporated portion of the township. (Also, any Fire/EMS calls to that area after annexation will be shown as calls in the City rather than the Township.) I have included a map and description of the 47.069 parcel of land.

**Approved By:**

| | Initial | Date |
|---|---|---|
| Department Head: | | |
| City Attorney: | | |
| City Manager: | DAE | 12/3/10 |

**ORDINANCE NO.______**

AN ORDINANCE AUTHORIZING THE ANNEXATION OF 47.069 ACRES OF CONTIGUOUS TERRITORY AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECT SAID ANNEXATION.

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

SECTION 1: Miami University is the owner of 47.069 acres of land in the unincorporated area of Oxford Township, Butler County, Ohio as recorded in Book 896, Pages 391-393 of the Butler County, Ohio Deed Records.

SECTION 2: The 47.069 acres of land owned by Miami University in the unincorporated area of Oxford Township, Butler County, Ohio is contiguous to the corporate limits of the City of Oxford. The 47.069 acres is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

SECTION 3: The Council hereby authorizes the annexation of said property, in accordance with Ohio Revised Code provisions of §709.14 *et seq.*, and the City Attorney is hereby directed to prosecute the proceedings necessary to effect said annexation.

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)

**PETITION BY THE CITY OF OXFORD, OHIO, OWNER OF REAL PROPERTY, FOR ANNEXATION OF 47.069 ACRES OF TERRITORY TO THE CITY OF OXFORD IN OXFORD TOWNSHIP, BUTLER COUNTY, OHIO**

(Sections 709.14, 709.15 & 709.16 Ohio Revised Code)

Now comes Stephen M. McHugh, the duly appointed and acting Law Director, of the City of Oxford, Butler County, Ohio and says that:

On the ______ day of __________, 2010, the Council for the City of Oxford at a regular meeting passed Ordinance No. ____, a certified copy of which is attached hereto, marked Exhibit "A" and incorporated herein; and

Said Ordinance authorized the annexation of the property described therein to the City of Oxford, Ohio; pursuant to O.R.C. § 709.14 et seq; and

Said Ordinance authorized Stephen McHugh, the Oxford Director of Law, to prosecute the proceedings necessary to effect said annexation; and

An accurate description of the territory to be annexed is attached hereto, marked Exhibit "B" and incorporated herein; and

An accurate map thereof is attached hereto, marked Exhibit "C" and incorporated herein.

Petitioner further says that all of the territory to be annexed is contiguous to territory owned by the City of Oxford, Ohio, is owned by the Miami University, and is located entirely within the same county as the City of Oxford, Butler County, Ohio.

WHEREFORE; the City of Oxford petitions the Board of County Commissioners to annex the property described in Exhibit "B" to the City of Oxford in accordance with Ohio Revised Code 709.14, 709.15; and 709.16(C).

City of Oxford, Butler County, Ohio

By: ______________________

Stephen M. McHugh, Law Director

Exhibit "A"

Date: October 21, 2010

Description: Yager Stadium
47.069 Acres

Location: Oxford Township
Butler County, Ohio

Situated in the Section 23, Town 5, Range 1, Oxford Township, being parts of Lot #4 and Lot #5 and being the lands of the State of Ohio For the President and Trustees of Miami University as recorded in Deed Book 896 page 391 of the Butler County Ohio Recorder's Office and being more particularly described as follows:

Commencing at the northeast corner of Lot # 4, said point being on the north line of said section 23, thence along said north line of Lot #4 and said section line, North 87°52'40" West, 1,225.62 to a found 2" pipe and being the **True Point of Beginning**;

thence, from the **True Point of Beginning**, leaving said north line of Lot #4 and said section line, South 54°04'02" East, 231.00 feet to a found 2" pipe;

thence, South 22°04'02" East, 198.00 feet;

thence, South 02°55'58" West, 165.00 feet;

thence, South 27°18'32" East, 663.47 feet to a point on the northerly right of way line of Bonham Road (50' R/W);

thence, along said northerly right of way line, South 70°44'58" West, 91.06 feet;

thence, South 41°39'58" West, 788.01 feet to the northeast corner of Lot #1627 of the City of Oxford;

thence, leaving said northerly right of way line, along the northerly line of Lot #1627, North 64°10'32" West, 378.27 feet;

thence, North 63°44'02" West, 220.52 feet to the northeast corner of Lot #1621 of said City of Oxford;

thence, leaving said northerly line of Lot #1627, along the northerly line of Lot #1621, North 54°14'02" West, 152.96 feet;

thence, North 77°39'02" West, 398.10 feet to the east line of Lot #1620 of said City of Oxford;

thence, leaving said northerly line of Lot 1621, along the easterly line of Lot #1620, North 36°15'58" East, 53.32 feet to a found 5/8" iron pin at the southeast corner of the lands of Bryon Craig and Kerstin Erickson as recorded in Official Record 7983, Page 1814 of the Butler County Ohio Recorder's Office;

thence, leaving said easterly line of Lot #1620, along the easterly line of said lands of Bryon Craig and Kerstin Erickson, North 03°59'02" West, 861.16 feet to a found 5/8" iron pin on the southerly right of way line of Morning Sun Road (S.R. 732);



6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-6600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

318 South College Avenue
Oxford, Ohio 45056
513-523-4270

P.O. Box 3706
Lawrenceburg, Indiana 47025
812-537-9064

Engineering – Surveying – Landscape Architecture – Planning
www.bayerbecker.com

thence, leaving the easterly line of the lands of Bryon Craig and Kerstin Erickson, along the southerly right of way line of said Morning Sun Road (S.R. 732), North 38°52'12" East, 231.98 feet;

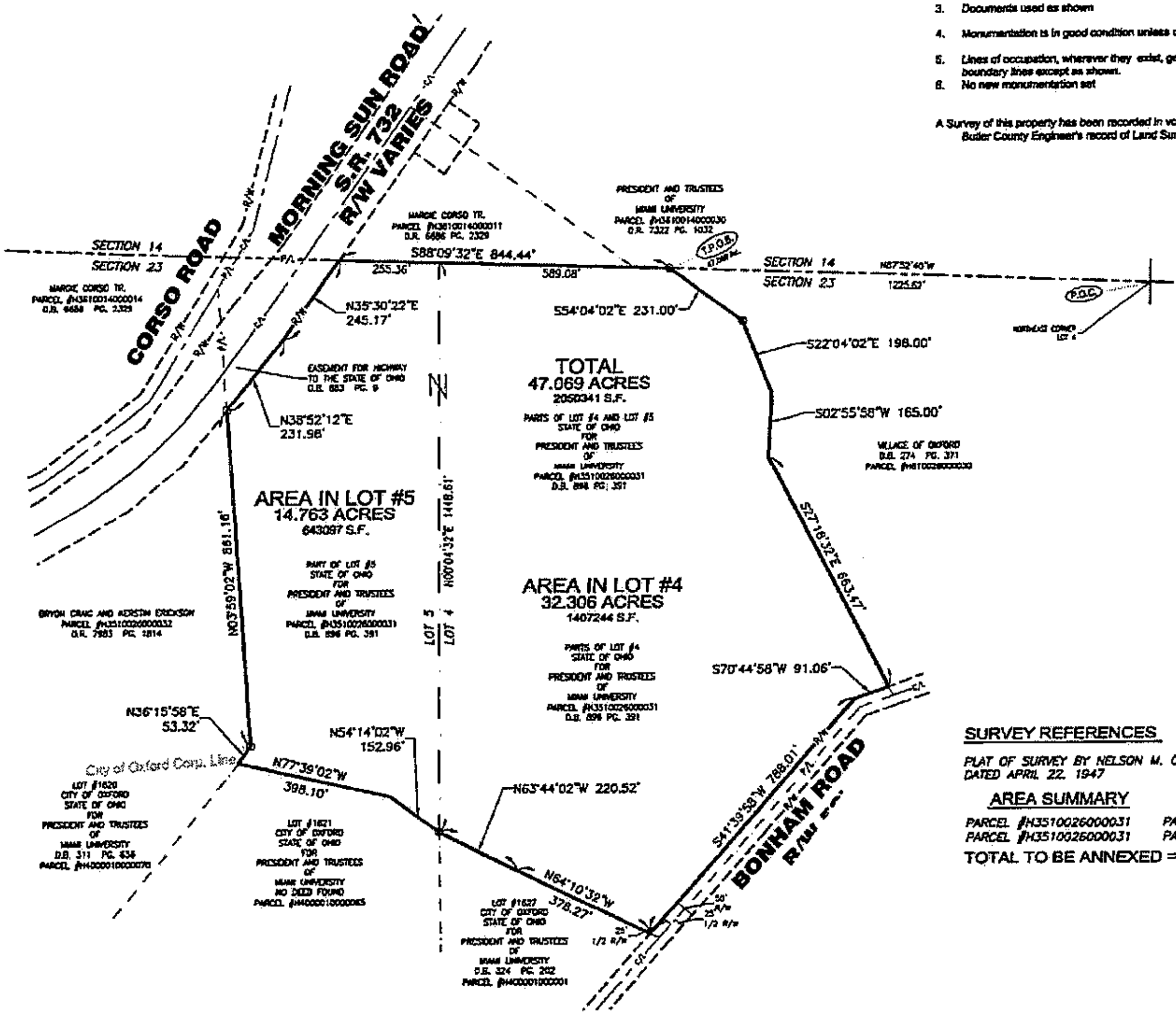
thence, North 35°30'22" East, 245.17 feet to a point on the southerly line of the lands of Margie Corso Tr. as recorded in Official Record 6686, Page 2329 of the Butler County Ohio Recorder's Office, said point also being on the northerly line of said section 23;

thence, leaving said easterly right of way line of said Morning Sun Road (S.R. 732), along the southerly line extended of said lands of Margie Corso, Tr., and said northerly line of section 23, South 88° 09'32" East, 844.44 feet to the **True Point of Beginning** containing 2,050,341 square feet or 47.069 acres of land of which 32.306 acres are located in Lot #4 and 14.763 acres are located in Lot #5, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey prepared by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, October 21, 2010.

The Plat of which is recorded in Volume 54, Page 17 of the Butler County Engineer's Records.

Basis of Bearings: State Plane NAD83 GPS Observations, Ohio South Zone 3402.




## NOTES

1. Prior Deed Ref: D.B. 896 PG. 391
2. Basis of Bearings: GPS observation NAD 83 Ohio (North Zone)
3. Documents used as shown
4. Monumentation is in good condition unless otherwise shown
5. Lines of occupation, wherever they exist, generally agree with the boundary lines except as shown.
6. No new monumentation set

A Survey of this property has been recorded in volume 54 page 17 of the Butler County Engineer's record of Land Surveys.

## SURVEY REFERENCES

PLAT OF SURVEY BY NELSON M. CLINTON
DATED APRIL 22, 1947

## AREA SUMMARY

| | | |
|---|---|---|
| PARCEL #H3510026000031 | PART OF LOT 4 | 32.306 ACRES |
| PARCEL #H3510026000031 | PART OF LOT 5 | 14.763 ACRES |

TOTAL TO BE ANNEXED = 47.069 ACRES

## SURVEY LEGEND

R/W – Right of Way
P/L – Property Line

I HEREBY CERTIFY THAT ALL MEASUREMENTS AND MONUMENTS SET AND/OR FOUND AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. ALL WORK PERFORMED IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO."

DAVID DOUGLAS SMITH    PROFESSIONAL SURVEYOR NO.7121    DATE

State Plane NAD83 GPS Observations
SCALE: 1" = 300'

| Item | Revision Description | Date | Drwn. | Chk. |
|---|---|---|---|---|
| 1 | REVISION | 10-25-10 | BRJ | DDS |

# MIAMI UNIVERSITY

SECTION 23, TOWN 5, RANGE 1
PARTS OF LOT #4 AND LOT #5
Oxford Twp
Butler County, Ohio

ANNEXATION PLAT

bayer becker
www.bayerbecker.com
318 South College Avenue
Oxford, OH 45056 · 513.523.4270

| | |
|---|---|
| Drawing | 10D047-000 BM |
| Drawn by | DDS |
| Checked By | BRJ |
| Issue Date | 10-25-10 |
| Sheet | 1/1 |

# CITY OF OXFORD
# STAFF SUMMARY REPORT

| | | | |
|---|---|---|---|
| Report to City Manager | | Finance | Originating Department |
| Council Meeting Of : | 12/7/2010 | Joe Newlin | Prepared By |
| Account Code No. : | see below | 12/2/2010 | Date Prepared |
| Budgeted Amount : | | | |

**Agenda Title:** **2010 Supplemental Budget #8**

**Recommendation:** **Approve**

**Issue 1**
Correct reporting issue. Should have used prior year encumbrance rather than current year.

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| Capital Equipment 140 | (10,000.00) | Decrease prior year carryover budget |
| Capital Equipment 140 | 10,000.00 | Increase prior year carryover budget |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | - | |

**Issue 2**
Correct reporting issue. Should have used prior year encumbrance rather than current year.

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| FEMA 416 | (15,000.00) | Decrease prior year carryover budget |
| FEMA 416 | 15,000.00 | Increase prior year carryover budget |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | - | |

**Issue 3**
Decrease current year expenditures by $2,000 budgeted in 2011 to do outside Audits.

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| Convention Tax 120 | (2,000.00) | Decrease current year appropriations |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 2,000.00 | |

**Issue 4**
Increase in both revenue and expenditures for Alcohol Education Program.

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| Enforcement & Education 412 | 40,000.00 | Contribution Alcohol Education Program |

Expense Side

| | | |
|---|---|---|
| Enforcement & Education 412 | 5,500.00 | Alcohol Education Program Fees |
| Net Effect on Fund Balance/(s) Increase/(Decrease) Total | 34,500.00 | |

**Issue 5**
Increase expenditure for reimbursement to County Auditor (Attachment 'A')

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| General 110 | 23,900.02 | Reimbursement to County Estate Tax adjustment |
| Net Effect on Fund Balance/(s) Increase/(Decrease) Total | (23,900.02) | |

**Issue 6**
Decrease current year expenditures by $305,100 budgeted in 2011 for loan approvals

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| CDBG Loan 128 | (305,100.00) | Decrease current year appropriations |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 305,100.00 | |

**Issue 7**
Decrease current year expenditures by $50,000 budgeted in 2011 for ALPR

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| Law Enforcement Trust 410 | (50,000.00) | Decrease current year appropriations |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 50,000.00 | |

**Issue 8**
Decrease current year expenditures by $7,500 less spending than anticipated

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| Storm Water 351 | (7,500.00) | Decrease current year appropriations |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 7,500.00 | |

**Issue 9**
Increase current year expenditures by $100,000, currently only have a little $7,000 appropriated for our remaining December clams.

**Action Needed:**

Revenue Side

| | | |
|---|---|---|
| | - | N/A |

Expense Side

| | | |
|---|---|---|
| Employee Benefits 230 | 100,000.00 | Increase current year appropriations |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | (100,000.00) | |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 275,199.98 | |

Breakdown by Fund

| | |
|---|---|
| General 110 | (23,900.02) |
| Convention Tax 120 | 2,000.00 |
| CDBG Loan 128 | 305,100.00 |
| Capital Equipment 140 | - |
| Employee Benefits 230 | (100,000.00) |
| Storm Water 351 | 7,500.00 |
| Law Enforcement Trust 410 | 50,000.00 |
| Enforcement & Education 412 | 34,500.00 |
| FEMA 416 | - |
| Net Effect on Fund Balance/(s) Increase/(Decrease) | 275,199.98 |

| Approved By: | | Initials | Date |
|---|---|---|---|
| | Department Head: | [illegible] | 12/2/10 |
| | City Manager: | DRE | 12/3/10 |

F:\General Accounting\2010\Ordinances\Supplementals\Staff Report SB 8

**ORDINANCE NO.**

AN ORDINANCE AMENDING ORDINANCE NO. 3089. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010.

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:

| | |
|---|---|
| Enforcement & Education Fund 412 | 40,000.00 |

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

| | |
|---|---|
| Capital Equipment Fund 140 | (10,000.00) |
| Capital Equipment Fund 140 | 10,000.00 |
| FEMA Fund 416 | (15,000.00) |
| FEMA Fund 416 | 15,000.00 |
| Hotel & Convention Tax Fund 120 | (2,000.00) |
| Enforcement & Education Fund 412 | 5,500.00 |
| General Fund 110 | 23,900.02 |
| CDBG Loan Fund 128 | (305,100.00) |
| Law Enforcement Trust Fund 410 | (50,000.00) |
| Storm Water Fund 351 | (7,500.00) |
| Employee Benefit Fund 230 | 100,000.00 |

SECTION 4: In all other respects, Ordinance No. 3089 shall Remain in full force and effect.

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

MAYOR

ADOPTED: ______________

ATTEST:

CLERK OF CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)