



Agenda

Oxford City Council

Court House

TUESDAY, DECEMBER 15, 2009

EXECUTIVE SESSION

None

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

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

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

A. Presentation - Oxford Seniors -Joan-Potter-Sommer



Letter

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.

4. Consent Agenda.

A. Minutes of the November 17, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Minutes of the December 1, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

C. Report regarding the December 2, 2009 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

D. Report regarding the December 2, 2009 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

E. A Resolution authorizing the City Manager to purchase computer equipment from Florida Micro. (Kim Newton, Assistant to the City Manager))



Staff Report/Resolution

F. A Resolution authorizing the City Manager to close Lot 52 on Saturdays, from 5:00 a.m. to 12:30 p.m., from May 1, 2010 through November 20, 2010, to permit the operation of the Farmer's Market within Lot 52 during said time. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolutions

G. A Resolution authorizing the City Manager to close Lot 52 on Saturday, January 16, 2010, Saturday, February 20, 2010, Saturday March 20, 2010, Saturday April 17, 2010 and Saturday December 18, 2010 from 5:00 a.m. to 12:30 p.m., to permit the operation

of the Winter Farmer's Market within Lot 52 during said time. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

- H. A Resolution authorizing the City Manager to submit to Butler County the following eligible project (s) designated as the City's portion of the 2010 Community Development Block Grant (CDBG) program. (Mike Dreisbach, Service Director)



Staff Report/Resolution

- I. A Resolution authorizing the City Manager to request advanced payment of property taxes to the City from Butler County. (Joe Newlin, Finance Director)



Staff Report/Resolution

5. Resolutions

- A. A Resolution to support the City of Oxford's participation in the grant application for a two day 'Your Town Design' workshop through the National Endowment of the Arts. (Doug Elliott, City Manager)



Staff Report/Resolution

6. Ordinances. Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

- A. First Reading.

1. An Ordinance Amending Ordinance No. 3089. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2010. (Joe Newlin, Finance Director)



Staff Report/Ordinance

- B. Second Reading.

1. An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No.10 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 11 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)



Ordinance

3. An Ordinance Outlining Budgeted Advances For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)



Staff Report/Ordinance

4. An Ordinance Outlining Budgeted Transfers For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, finance Director)



Staff Report/Ordinance

5. An Ordinance Modifying The Requirements For The Disposition Of Hotel/Motel Tax Receipts By Amending Section 183.03 Of The Oxford Code Of Ordinances To Comply With The Provisions Of The Ohio Revised Code Chapter 5739. (Joe Newlin, Finance Director)



Staff Report/Ordinance

6. An Ordinance Repealing Oxford Code Of Ordinances Sections 503.02 And 503.98 And Adopting New Oxford Code Of Ordinances Sections 503.02 And 503.98 Titled 'Classification Of Civil Offenses' And 'Civil Fines'. (Steve Schwein, Police Chief)



Staff Report/Ordinance

7. An Ordinance Adopting New Chapter 507 Entitled 'Police And Fire Civil Citations', Section 507.01 'Police Civil Citations', Section 507.02 'Police Civil Citation Fines', Section 507.03 'Fire Civil Citations', Section 507.04 'Fire Civil Citation Fines', Section 507.05 'Notice Of Police And Fire Civil Offense And Civil Fine; Procedures', Section 507.06 'Answer To Notice Of Police Or Fire Civil Offense', Section 507.07 'Hearings', Section 507.08 'Default', Section 507.09 'Civil Proceedings', Section 507.10 'Administrative Regulations', Section 507.11 'Freedom From Improper Influence', Section 507.12 'Ex Parte Communications Prohibited', Section 507.13 'Definition Of Person' And Section 507.14 'Savings', Of The Oxford Code Ordinances. (Steve Schwein, Police Chief)



Staff Report/Ordinance

7. Announcements and Communications. The comments expressed by individual members of Council or City staff during the 'Announcements' 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.

A. Announcements.

1. Remarks from City Council and City staff.

B. Future Meetings (Note: Meetings will be held at the Court House unless otherwise indicated.)

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

FRI - Dec 18 Community Improvement Corporation Meeting 12:00 p.m. LCNB

MON - Dec 21 Housing Advisory Commission Meeting - Cancelled

WED - Dec 23 Civil Service Commission Meeting 7:00 p.m. - Cancelled

WED -	Dec	23	Environmental Commission Meeting 7:00 p.m. Municipal Building
THUR -	Dec	24	Holiday - City Offices Closed
FRI -	Dec	25	Holiday - City Offices Closed
FRI -	Jan	1	Holiday - City Offices Closed
TUES -	Jan	5	City Council Retreat 4:00 p.m. Hueston Woods Conference Center
WED -	Jan	6	Historic and Architectural Preservation Commission Meeting 7:30 p.m.
TUES -	Jan	12	Planning Commission Meeting 7:30 p.m.

8. Adjourn

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/01/09

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

11/23/09
Date Prepared

Agenda Title: Convention Tax Disposition of Funds

Recommendation: Approve

Discussion:

Convention Tax Disposition of Funds

This ordinance is a result of our 2010 Budget discussions. In order to simplify the method of distribution of Convention Tax receipts, a simple percentage method was recommended by staff. The current funding level of the VCB was used as an index for the rounded figure of 94% of the funds collected being distributed to the VCB on a monthly basis.

Approved By:

Department Head:
City Manager:

Initial Date

11/23/09
11/25/09

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE REQUIREMENTS FOR THE DISPOSITION OF HOTEL/MOTEL TAX RECEIPTS BY AMENDING SECTION 183.03 OF THE OXFORD CODE OF ORDINANCES TO COMPLY WITH THE PROVISIONS OF THE OHIO REVISED CODE CHAPTER 5739.

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

SECTION 1: Section 183.03 of the Codified Ordinances of the City of Oxford, Ohio is hereby amended as follows:

- (a) Calculation of disposition of funds:
- (1) The City Auditor shall prepare a yearly estimate, used in the preparation of the annual budget, of 3% convention tax funds to be received by the City pursuant to Section 183.02.
 - (2) The City shall distribute ~~50%~~ 94% of the convention tax funds received in a calendar year to a convention and visitors bureau operating within Butler County.
 - (3) The remaining ~~fifty percent (50%)~~ six percent (6%) shall be retained by the City and deposited in the General fund.
 - (4) ~~The City may budget and distribute more than the minimum fifty percent (50%) of convention tax required by Section ii.~~

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

Mayor

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/01/09

Joe Newlin
Prepared By

Account Code No. #: see below

Budgeted Amount: _____

11/23/09
Date Prepared

Agenda Title: 2010 ANNUNAL TRANSFER ORDINANCE
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Recommendation: Approve

Discussion:

Description of Budgeted Transfers for the 2010 Budget

Transfer from GENERAL FUND 110
Transfer to STREET FUND 122

Annual General Fund Financial Support (quarterly)	400,000.00
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Transfer from GENERAL FUND 110
Transfer to CAPITAL IMPROVEMENT FUND 141

Annual General Fund Financial Support (quarterly)	517,657.00
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Transfer from GENERAL FUND 110
Transfer to CAPITAL EQUIPMENT FUND 140

Annual General Fund Financial Support (quarterly)	71,023.00
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Transfer from GENERAL FUND 110
Transfer to PARKS IMPROVEMENT BOND DEBT SERVICE FUND 152

Annual General Fund Debt Service Payment (bi-annual to match debt payment)	311,750.00
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Transfer from GENERAL FUND 110
Transfer to STORM WATER FUND 351

General Fund Financial Support (1 st quarter)	20,000.00
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Transfer from PARKING FUND 130	
Transfer to PARKING IMPROVEMENT FUND 142	
Annual Parking Fund Financial Support (quarterly)	37,500.00
Transfer from PARKING FUND 130	
Transfer to STREET FUND 122	
Annual Parking Fund Financial Support for work performed (quarterly)	23,581.00
Transfer from PARKING FUND 130	
Transfer to CAPITAL IMPROVEMENT FUND 141	
Annual Parking Fund Loan Repayment (quarterly)	100,000.00
Transfer from PARKING FUND 130	
Transfer to GENERAL FUND 110	
Annual Parking Fund Payment for Service department support (quarterly)	24,500.00
Transfer from CAPITAL IMPROVEMENT FUND 141	
Transfer to GENERAL FUND 110	
Annual Payment for Western Knolls Land Purchase (2 nd quarter)	590,000.00
Transfer from WATER FUND 321	
Transfer to WATER CAPITAL IMPROVEMENT FUND 322	
Annual Water Fund Financial Support (quarterly)	100,000.00
Transfer from WATER FUND 321	
Transfer to WATER BOND DEBT SERVICE FUND 312	
Annual Water Fund Debt Service Payment (bi-annual to match debt payment)	923,100.00
Transfer from WATER FUND 321	
Transfer to WATER CAPITAL EQUIPMENT FUND 320	
Annual Water Fund Financial Support (quarterly)	85,000.00
Transfer from WATER FUND 321	
Transfer to GENERAL FUND 110	
Annual Water Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)	36,976.00
Transfer from SEWER FUND 331	
Transfer to SEWER CAPITAL IMPROVEMENT FUND 332	
Annual Sewer Fund Financial Support (quarterly)	200,000.00
Transfer from SEWER FUND 331	
Transfer to SEWER CAPITAL EQUIPMENT FUND 330	
Annual Sewer Fund Financial Support (quarterly)	170,000.00

Transfer from SEWER FUND 331
Transfer to GENERAL FUND 110

Annual Sewer Fund Financial Support – Mowing & Muni-Building Expenses (quarterly)
36,976.00

Transfer from LANDFILL POST-CLOSURE FUND 353
Transfer to REFUSE FUND 341

Annual Post-Closure Fund Financial Support (4th quarter) 195,000.00

Transfer from REFUSE FUND 341
Transfer to GENERAL FUND 110

Annual Refuse Fund Financial Support – Muni-Building Expenses (quarterly) 26,976.00

Transfer from HOTEL TAX FUND 120
Transfer to GENERAL FUND 110

Annual Hotel Tax Fund Financial Support (monthly) 10,500.00

Transfer from WATER CAPACITY BENEFIT - NE FUND 381
Transfer to WATER IMPROVEMENT FUND 322

NE Fund Financial Support (quarterly) 5,000.00

Transfer from WATER CAPACITY BENEFIT - NW FUND 382
Transfer to WATER IMPROVEMENT FUND 322

NW Fund Financial Support (quarterly) 5,000.00

Transfer from WATER CAPACITY BENEFIT - SE FUND 383
Transfer to WATER IMPROVEMENT FUND 322

SE Fund Financial Support (quarterly) 5,000.00

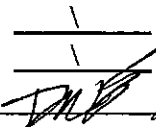
Transfer from WATER CAPACITY BENEFIT - SW FUND 384
Transfer to WATER IMPROVEMENT FUND 322

SW Fund Financial Support (quarterly) 5,000.00

Approved By:

Department Head:
City Manager:

Initial Date

 12/10/09

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED TRANSFERS FOR THE CITY OF OXFORD,
STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010.

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

SECTION 1: The following transfers are to be executed for the City of Oxford during the
fiscal year ending December 31, 2010, as follows:

Transfer from:

GENERAL FUND 110	400,000.00
GENERAL FUND 110	517,657.00
GENERAL FUND 110	71,023.00
GENERAL FUND 110	311,750.00
GENERAL FUND 110	20,000.00
PARKING FUND 130	37,500.00
PARKING FUND 130	23,581.00
PARKING FUND 130	100,000.00
PARKING FUND 130	24,500.00
CAPITAL IMPROVEMENT FUND 141	590,000.00
WATER FUND 321	100,000.00
WATER FUND 321	923,100.00
WATER FUND 321	85,000.00
WATER FUND 321	36,976.00
SEWER FUND 331	200,000.00
SEWER FUND 331	170,000.00
SEWER FUND 331	36,976.00
LANDFILL POST-CLOSURE FUND 353	195,000.00
REFUSE FUND 341	26,976.00
HOTEL TAX FUND 120	10,500.00
WATER CAPACITY BENEFIT FUND – NE FUND 381	5,000.00
WATER CAPACITY BENEFIT FUND – NW FUND 382	5,000.00
WATER CAPACITY BENEFIT FUND – SE FUND 383	5,000.00
WATER CAPACITY BENEFIT FUND – SW FUND 384	5,000.00

Transfer to:

STREET FUND 122	400,000.00
CAPITAL IMPROVEMENT FUND 141	517,657.00
CAPITAL EQUIPMENT FUND 140	71,023.00
PARKS IMPROVEMENTS BOND DEBT SERVICE FUND 152	311,750.00
STORM WATER FUND 351	20,000.00
PARKING IMPROVEMENT FUND 142	37,500.00
STREET FUND 122	23,581.00
CAPITAL IMPROVEMENT FUND 141	100,000.00
GENERAL FUND 110	24,500.00
GENERAL FUND 110	590,000.00
WATER CAPITAL IMPROVEMENT FUND 322	100,000.00

WATER BOND DEBT SERVICE FUND 312	923,100.00
WATER CAPITAL EQUIPMENT FUND 320	85,000.00
GENERAL FUND 110	36,976.00
SEWER IMPROVEMENT FUND 332	200,000.00
SEWER CAPITAL EQUIPMENT FUND 330	170,000.00
GENERAL FUND 110	36,976.00
REFUSE FUND 341	195,000.00
GENERAL FUND 110	26,976.00
GENERAL FUND 110	10,500.00
WATER IMPROVEMENT FUND 322	5,000.00
WATER IMPROVEMENT FUND 322	5,000.00
WATER IMPROVEMENT FUND 322	5,000.00
WATER IMPROVEMENT FUND 322	5,000.00

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/01/09

Account Code No. #: see below

Joe Newlin
Prepared By

Budgeted Amount: _____

11/23/09
Date Prepared

Agenda Title: 2010 ANNUNAL ADVANCE ORDINANCE

Recommendation: Approve

Discussion:

Description of Budgeted Advances for the 2010 Budget

Advance from GENERAL FUND 110
Advance to FEMA FUND 416

Funds to be reimbursed from FEMA (beginning of year) 26,930.00

Advance from GENERAL FUND 110
Advance to CAPITAL IMPROVEMENT FUND 141

Funds to be reimbursed from ODOT (beginning of year) 373,522.00

Advance from GENERAL FUND 110
Advance to CDBG FUND 126

Funds to be reimbursed from County CDBG funds (beginning of year) 150,000.00

Repayment to General Fund will be made when funds received or completion of project.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 11/23/09
[Signature] 11/23/09

ORDINANCE NO.

AN ORDINANCE OUTLINING BUDGETED ADVANCES FOR THE CITY OF OXFORD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010.

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

SECTION 1: The following advances are to be executed for the City of Oxford during the fiscal year ending December 31, 2010, as follows:

Advance from:

GENERAL FUND 110	26,930.00
GENERAL FUND 110	373,522.00
GENERAL FUND 110	150,000.00

Advance to:

FEMA FUND 416	26,930.00
CAPITAL IMPROVEMENT FUND 141	373,522.00
CDBG FUND 126	150,000.00

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

MAYOR

ADOPTED:

ATTEST

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: STAFF

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: December 15, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 4, 2009

Date Prepared

Agenda Title: A Resolution supporting the submission of a grant application.

Recommendation:

Discussion

As requested by former Mayor, Prue Dana and endorsed by the Planning Commission.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 12/10/09

RESOLUTION NO.

A RESOLUTION TO SUPPORT THE CITY OF OXFORD'S PARTICIPATION IN THE GRANT APPLICATION FOR A TWO DAY 'YOUR TOWN DESIGN' WORKSHOP THROUGH THE NATIONAL ENDOWMENT OF THE ARTS.

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

SECTION 1: The City Manager and former Mayor Prudence Z. Dana recommend that the City of Oxford participate in the grant application for a two day 'Your Town Design' workshop which explores the way the City can participate and manage how the Oxford community grows and develops in the years to come.

SECTION 2: The former Mayor of the City of Oxford, Prudence Z. Dana (November 2007 through November 2009) and Wilks Scholar, Bethany Bowyer, shall be named principle organizers/contacts for the purpose of the grant application.

SECTION 3: The City of Oxford will act as the sponsoring non-profit organization and fiscal agent for the purpose of completing the grant application.

Section 4: The principle organizers/contacts will be responsible for working with local groups and organizations to raise the mandatory matching funds of \$10,000. The grant itself will award up to \$22,000 from the National Endowment for the Arts. The local contribution may include 'in kind' contributions.

SECTION 5: Council hereby supports the City of Oxford's participation in the grant application for a two day 'Your Town Design' workshop which explores the way the City can participate and manage how the Oxford community grows and develops in the years to come.

SECTION 6: 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

Finance
Originating Department

Council Meeting Of: 12/17/09

Joe Newlin

Account Code No. #: see below

Prepared By

Budgeted Amount: _____

12/10/09
Date Prepared

Agenda Title: 2010 SUPPLEMENTAL BUDGET #1

Recommendation: Approve

Discussion: Supplements to the 2010 Budget

Affordable Housing Trust Fund

Housing Trust

-5,000.00

Reduction of appropriation needed due expenditure of 5,000 not anticipated for 2009 when the Budget 2010 was completed.

Approved By:

Department Head:
City Manager:

Initial Date

12/10/09
12/10/09

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3089. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 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: The following increase/(decrease) in appropriations from unencumbered balances be made:

AFFORDABLE HOUSING TRUST FUND (5,000.00)

SECTION 2: In all other respects, Ordinance No. 3089 shall remain in full force and effect.

SECTION 3: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/01/09

Joe Newlin

Account Code No. #: see below

Prepared By

Budgeted Amount: _____

12/03/09
Date Prepared

Agenda Title: 2009 SUPPLEMENTAL BUDGET #10 & #11

Recommendation: Approve

Discussion: Supplements to the 2009 Budget

Supplemental #10

General Fund

Income Tax Refunds

10,800.00

From Fund Balance

Additional appropriation needed to cover the cost of refunds from income tax. We divided the number of refunds year to date over 11 months and added that to the current deficit in that appropriation.

Hotel Tax Fund

Contractual Services – Visitor's and Convention Bureau

8,000.00

From Revenue

Additional appropriation needed to cover one half of the convention tax to pay the VCB for collections exceeding budgeted revenue.

Employee Benefits Fund

Claims

25,000.00

From Revenue

Additional appropriation is needed to cover possible claim overage at year end. In order to receive reimbursement for stop loss coverage (claims exceeding 35,000) all claims must be paid by 12/31/2009. This will help ensure we have enough money to pay those claims exceeding. We will use year to date reimbursements to cover the additional appropriation.

Capital Improvement Fund

US 27N Phase III

11,300.00

Additional appropriation needed for ROW acquisition settlement.

Supplemental #11 Appropriation transfers from Operating to Personnel Services:

122.720.52470 Gasoline	122.720.52110 Salaries & Wages	1,000.00
321.812.52470 Gasoline	321.812.52110 Salaries & Wages	500.00
321.817.52340 Contracted Services	321.817.52110 Salaries & Wages	150.00
321.817.52380 Memberships & Subsc.	321.817.52110 Salaries & Wages	100.00
321.817.52370 Printing & Reprod.	321.817.52110 Salaries & Wages	50.00
321.819.52440 Small Tools	321.819.52110 Salaries & Wages	500.00
321.820.52330 Professional Service	321.820.52110 Salaries & Wages	50.00
331.830.52311 Electrical Service	331.830.52110 Salaries & Wages	7,000.00
331.832.52470 Gasoline	331.832.52110 Salaries & Wages	500.00
331.837.52340 Contracted Services	331.837.52110 Salaries & Wages	150.00
331.837.52370 Printing & Reprod.	331.837.52110 Salaries & Wages	50.00
331.837.52380 Memberships & Subsc.	331.837.52110 Salaries & Wages	100.00
331.840.52330 Professional Service	331.840.52110 Salaries & Wages	50.00
341.851.52343 General Recycling	341.851.52110 Salaries & Wages	500.00

Approval needed by Council to transfer from operating to personnel services, no additional appropriation needed. Transfers necessary to cover the additional cost of salaries and benefits due to unbudgeted sick leave bonus and an unbudgeted promotion.

Approved By:**Department Head:**
City Manager:**Initial Date** 12/11/09
1

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 10 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009.

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 estimated revenues be made:

HOTEL TAX FUND 120	8,000.00
EMPLOYEE BENEFITS FUND 230	25,000.00

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

GENERAL FUND 110	10,800.00
HOTEL TAX FUND 120	8,000.00
EMPLOYEE BENEFITS FUND 230	25,000.00
CAPITAL IMPROVEMENT FUND	11,300.00

SECTION 4: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3033. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 11 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009.

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

SECTION 1: Transfer of appropriations are needed for the current fiscal year and monies are available for appropriation in those funds;

SECTION 2: The following transfers be executed:

Transfer from:

STREET FUND 122 OPERATING	1,000.00
WATER FUND 321 OPERATING	1,350.00
SEWER FUND 331 OPERATING	7,850.00
REFUSE FUND 341 OPERATING	500.00

Transfer to:

STREET FUND 122 PERSONNEL	1,000.00
WATER FUND 321 PERSONNEL	1,350.00
SEWER FUND 331 PERSONNEL	7,850.00
REFUSE FUND 341 PERSONNEL	500.00

SECTION 3: In all other respects, Ordinance No. 3033 shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 12/17/09

Heidi Hill
Prepared By

Account Code No. _____

Budgeted Amount: _____

12/09/2009
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 2010 property taxes which they have already received to the City earlier than their standard pay date in March. The early payment request can accelerate the receiving of a portion of the taxes by a month or more. To qualify for the early advance, the County requires the passage of a resolution each year.

Approved By:

Department Head:
City Manager:

Initial Date

12/9/09
12/10/09

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST ADVANCED PAYMENT OF PROPERTY TAXES TO THE CITY IN 2010 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

Clerk of Council

Originating Department

Council Meeting Of: December 15, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 4, 2009

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to close Lot 52 for the operation of the 2010 Farmers Market.

Recommendation: N/A

Discussion:

The attached request is for the use of Lot 52 for the operation of the 2010 Farmers Market and Winter Market.

This request is the same as the last two years.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE LOT 52 ON SATURDAYS, FROM 5:00 A.M. TO 12:30 P.M., FROM MAY 1, 2010 THROUGH NOVEMBER 20, 2010, TO PERMIT THE OPERATION OF THE FARMER'S MARKET WITHIN LOT 52 DURING SAID TIME.

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

SECTION 1: Council has determined that it would be beneficial for the City to permit the Farmer's Market to operate on Lot 52 on Saturdays, between May 1, 2010 through November 20, 2010 and that the closure of Lot 52 between the hours of 5:00 a.m. and 12:30 p.m. is required to permit this operation.

SECTION 2: Council hereby authorizes the City Manager to close Lot 52 on Saturdays from 5:00 A.M. to 12:30 P.M., from May 1, 2010 through November 20, 2010 to permit the operation of the 2010 Farmer's Market within Lot 52 during said time.

SECTION 3: In all other respects the City of Oxford traffic code shall remain in full force and effect.

SECTION 4: 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)

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE LOT 52 ON SATURDAY, JANUARY 16, 2010, SATURDAY, FEBRUARY 20, 2010, SATURDAY, MARCH 20, 2010, SATURDAY APRIL 17, 2010 AND SATURDAY, DECEMBER 18, 2010 FROM 5:00 A.M. TO 12:30 P.M., TO PERMIT THE OPERATION OF THE WINTER FARMER'S MARKET WITHIN LOT 52 DURING SAID TIME.

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

SECTION 1: Council has determined that it would be beneficial for the City to permit the Winter Farmer's Market to operate on lot 52 on Saturday, January 16, 2010, Saturday, February 20, 2010, Saturday, March 20, 2010, Saturday, April 17, 2010 and Saturday, December 18, 2010 and that the closure of Lot 52 between the hours of 5:00 a.m. and 12:30 p.m. is required to permit this operation.

SECTION 2: Council hereby authorizes the City Manager to close Lot 52 on Saturday, January 16, 2010, Saturday, February 20, 2010, Saturday, March 20, 2010, Saturday, April 17, 2010 and Saturday, December 18, 2010, from 5:00 a.m. to 12:30 p.m., to permit the operation of the 2010 Winter Farmer's Market within Lot 52 during said time.

SECTION 3: In all other respects the City of Oxford traffic code shall remain in full force and effect.

SECTION 4: 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)

RECEIVED

ENCLOSURE

City of Oxford

Rev 10/09



☒ REQUEST FOR PUBLIC PARK PERMIT

☐ REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: Please see attached sheet for dates 11/1/09 through 11/1/09 From: 5 a.m./p.m. To: 12:30 a.m./p.m.

Today's Date: 11/23/09 ☐ Emergency Utility Repair (check box, if applicable)

--- Applicant shall allow a minimum of 3 business days for processing ---

Responsible Party:
(18 years of age or older)*

Address:

Telephone:

Cellular:

Fax:

Email:

LARRY J. SLOCUM
803 MORAN RD
HAMILTON, OH 45013

513-505-5238

larry@humminghillarts.com

Organization:

Advisor:

Address:

Telephone:

Cellular:

Fax:

Email:

Non-Profit:

Oxford Farmers Mkt Uptown
Larry Slocum Manager

info@oxfordfarmersmarket.com

☐ Yes ☐ No

* Person in charge - Primary contact

PARK REQUESTED

- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) - Contact 523-6314 to confirm date(s)
- ☐ Memorial Park (E. Park Place & N. Main Street - has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street - animal sculptures & fountain)

* Other: Pking lot 52 and surrounding sidewalk. We will use in the sidewalk so
Pedestrian traffic is not hampered.

TITLE OF EVENT (be specific and include projected attendance)

Oxford Farmers Market Uptown - SATURDAY

Projected Attendance: 300-600 Has this event been held previously? ☒ Yes ☐ No If "YES", when? All Summer

DESCRIPTION OF EVENT

Place a description of the event, along with additional requests, on the appropriate attachment. If request is only for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature:

Larry J. Slocum

Date: 11/25/09

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.

M.U. Use Only

The organization listed above is a registered student organization in good standing with Miami University.

Signature: _____ Date: ____/____/____

Oxford Farmers Market Uptown – 2010

January 16, 2010

February 20, 2010

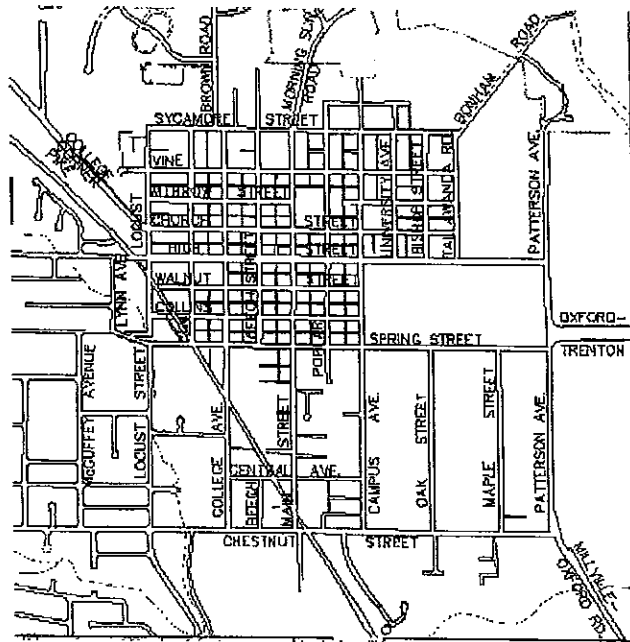
March 20, 2010

April 17, 2010

Beginning May 1, 2010 and running every Saturday until November 20, 2010

December 18, 2010

Note
If your event is outside the boundaries of this map, either attach a separate map or contact the City for assistance.



CITY OF OXFORD / RIGHT-OF-WAY REQUEST DETAILS

Instructions for Applicant: Please clearly denote the parade route, streets and/or sidewalk areas being requested. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

Lot 52 & surrounding sidewalk

Additional Requests:
(Include details in narrative)

- ☐ No Parking Signs
- ☐ Detour(s)
- ☐ Police Assistance

Time Details

	Start	End
Setup		
Event		
Breakdown		

	Applicant's Initials	Review Date
Police Department		
1		
2		
3		
4		
Fire Department		
1		
2		
3		
4		
Service Department		
1		
2		
3		
4		
Recreation Department (if applicable)		
1		
2		
3		
4		
City Manager		
1		
2		
3		
4		

Pre-Meeting (if applicable): Reviewed with _____ on _____.

Reviewer(s): _____

APPROVAL SECTION (with conditions)

Police Chief:	☒ Approved	☐ Not Approved
Fire Chief:	☒ Approved	☐ Not Approved
Service Director:	☒ Approved	☐ Not Approved
Recreation Director:	☐ Approved	☐ Not Approved
City Manager:	☐ Approved	☐ Not Approved

SDS, 11/24/09
 11/25/09
 11/24/09
 /

 City Manager's Signature

Date: _____

Reason(s) event not approved:

Needs Council Approval

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager's Office
Originating Department

Council Meeting Of: December 15, 2009

Kim Newton

Account Code No. #: 126.010.52401

Prepared By

Budgeted Amount: \$114,570

December 8, 2009

Date Prepared

Agenda Title:

Authorization to Submit Eligible Project(s) to Butler County for the 2010 CDBG Program

Discussion:

This Resolution of Council will authorize the City Manager to submit to Butler County this listing of eligible projects (see attached list) designated as the City's portion of the 2010 CDBG program.

The 2010 Operating Budget of the City of Oxford includes \$114,570 in the Community Development Block Grant fund. These funds will be used to pay eligible expenses for the following project(s).

Sidewalk & Handicap Ramp Improvements:	\$ 97,570
Administration:	\$ 17,000
Total:	\$114,570

As per our Cooperation Agreement with Butler County, the City of Oxford is entitled to no less than ten percent (10%) of the County's CDBG allocation. The County's 2009 allocation was \$1,145,694. The 2010 CDBG allocation has yet to be determined by Congress, therefore, the County will be using the 2009 budget numbers until the 2010 allocations have been announced.

Social service/not-for-profit agencies serving the Oxford area may apply for CDBG/HOME funds directly from Butler County and have been notified as such.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT TO BUTLER COUNTY THE FOLLOWING ELIGIBLE PROJECT(S) DESIGNATED AS THE CITY'S PORTION OF THE 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

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

SECTION 1: Council accepts the recommendation of the City Manager for the following project(s) to be included in the 2009 CDBG Program.

1. Sidewalk and Handicap Ramp Improvements	97,570
2. Administration	<u>17,000</u>

Total: \$114,570

SECTION 2: The City Manager is hereby authorized to submit to Butler County the recommended project(s) as listed for 2010 funds and to take all actions necessary to comply with all requirements and commitments for approval of the projects.

SECTION 3: 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)

2010 CDBG Walks and Ramps

Page 1
revised 12/8/09 - EK

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
Locust & Pamela			
NW corner	30	150	1
SW corner	30	150	1
Marilyn & Pamela			
NE corner	20	100	1
SE corner	20	100	1
Marilyn & Chestnut			
SW corner	30	150	1
SE corner	30	150	1
McGuffey & Edgehill			
NE corner	20	150	1
SE corner	20	150	1
McGuffey & Brookview			
NW corner	30	150	2
NE corner	30	150	2
SW corner	30	150	2
SE corner	30	150	2
McGuffey & Brill			
NW corner	20	150	1
SW corner	20	150	1
Wells Mill & Ogden			
SW corner	30	200	1
NW corner	30	200	2
Erin & Tollgate			
SW corner	0	100	1
SE corner	25	200	2
NE corner	25	100	1
French & Tollgate			
SW corner	25	100	1
SE corner	25	200	2
Anderson & Tollgate			
NW corner	20	100	1
NE corner	20	100	1
Emerald Woods & Tollgate			
SW corner	25	200	1
SE corner	50	200	1
Erickson & Tollgate			
NW corner	30	100	1
NE corner	20	200	2
SW corner	20	75	1
Bull Run & Tollgate			
SE corner	30	75	1
SW corner	30	75	1
Albert Circle & Tollgate			
NW corner	20	100	1
NE corner	30	100	1
Robin Ct & Tollgate			
SE corner	20	75	1
SW corner	20	75	1
Brigid & Emerald Woods			
NE corner	40	100	1
SE corner	30	100	1
Stone Hedge & Emerald Woods			
NW corner	20	75	1
SW corner	20	75	1
Emerald Woods & Glos			
NE corner	15	100	1
SE corner	20	125	1
French & Glos			
NE corner	30	150	1
NW corner	30	150	1
Glos & Erin			
NW corner	30	100	1
SW corner	30	100	1

2010 CDBG Walks and Ramps (continued)

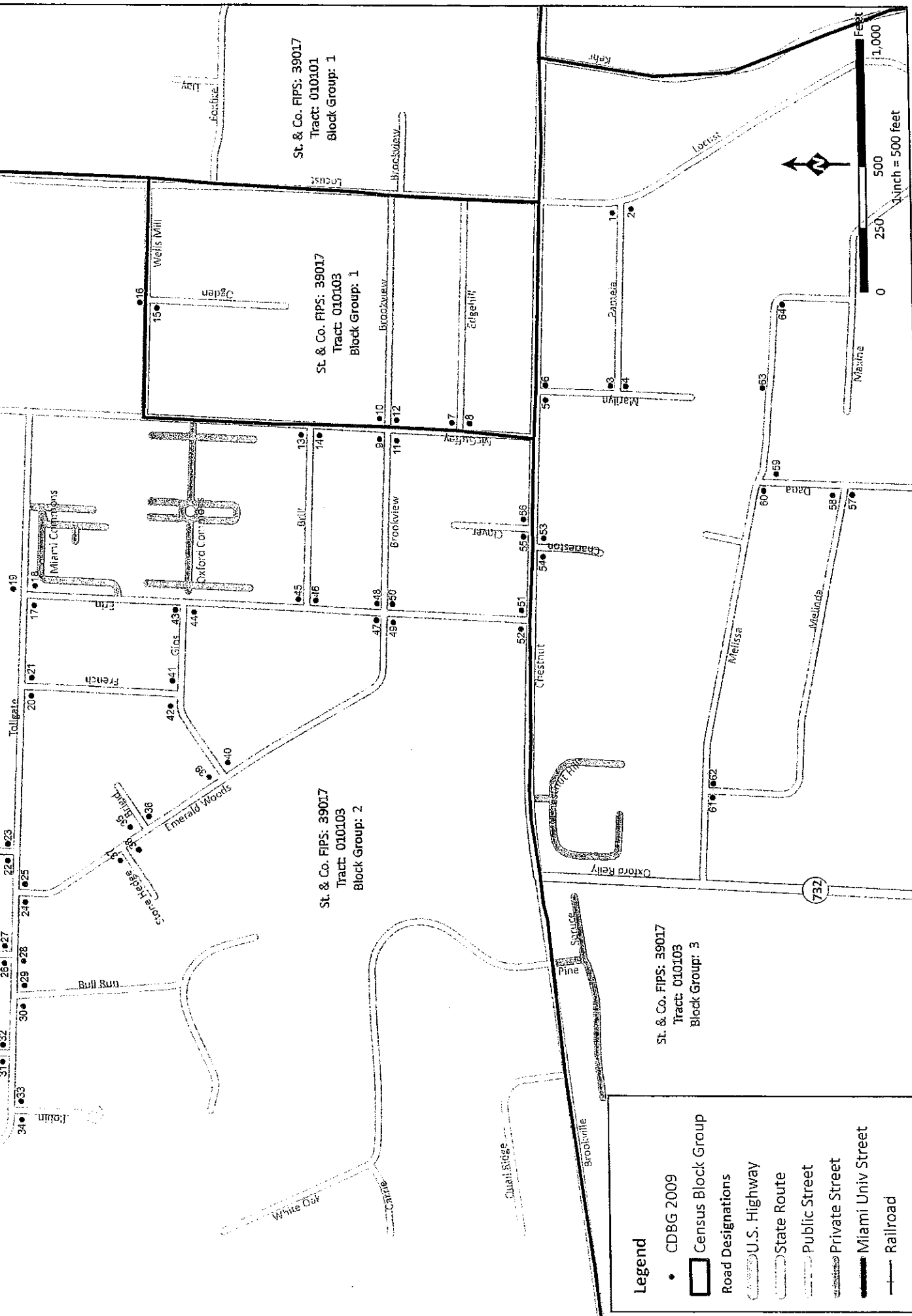
Page 2
revised 12/8/09 - EK

Location	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
Brill & Erin			
NE corner	20	100	1
SE corner	20	100	1
Erin & Emerald Woods			
NW corner	30	150	2
NE corner	30	150	2
SW corner	30	150	2
SE corner	30	150	2
Erin & Chestnut			
NE corner	30	150	1
NW corner	30	150	1
Chestnut & Charleston			
SE corner	30	200	2
SW corner	30	125	1
Chestnut & Clover			
NW corner	30	200	2
NE corner	30	125	1
Melinda & Dana			
SW corner	20	75	1
NW corner	20	75	1
Melissa & Dana			
SE corner	40	150	1
SW corner	50	175	1
Melinda & Melissa			
SW corner	20	100	1
SE corner	30	125	1
552 Melissa			
	25	100	1
Across from 538 Melissa			
	30	0	0
University Park Blvd sidewalk	~1,000 linear feet	New Construction	(no removal)

Total Estimate for 2010 CDBG

	Lin Ft.Curb Removal & Replacement	Sq ft Sidewalk Removal & Replacement	# of Detectable Warning Mats on each Sidewalk Ramp
Totals of each	1695	8200	77
Total estimate for Each based on 08 Awarded Contract	\$ 44,070.00	\$ 47,970.00	\$ 17,325.00
Total Estimate	\$ 134,365.00		

CDBG 2009



Legend

• CDBG 2009
 St. & Co. FIPS: 39017
 Tract: 010103
 Block Group: 3

□ Census Block Group

— Road Designations

— U.S. Highway

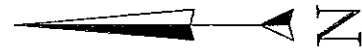
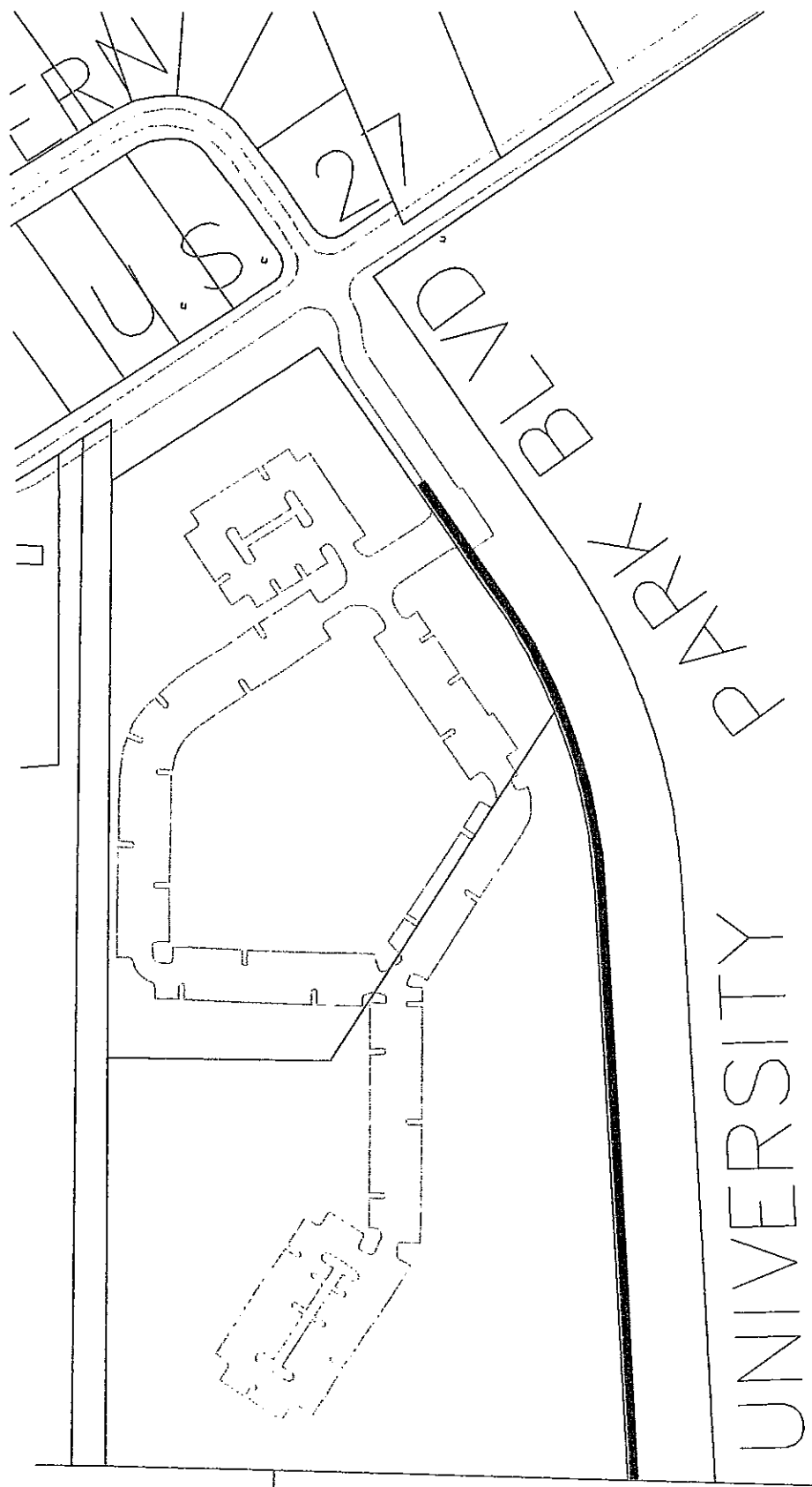
— State Route

— Public Street

— Private Street

— Miami Univ Street

— Railroad



PROPOSED
NEW SIDEWALK

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: December 15, 2009

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 4, 2009

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to close Lot 52 for the operation of the 2010 Farmers Market.

Recommendation: N/A

Discussion:

The attached request is for the use of Lot 52 for the operation of the 2010 Farmers Market and Winter Market.

This request is the same as the last two years.

Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE LOT 52 ON SATURDAYS, FROM 5:00 A.M. TO 12:30 P.M., FROM MAY 1, 2010 THROUGH NOVEMBER 20, 2010, TO PERMIT THE OPERATION OF THE FARMER'S MARKET WITHIN LOT 52 DURING SAID TIME.

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

SECTION 1: Council has determined that it would be beneficial for the City to permit the Farmer's Market to operate on Lot 52 on Saturdays, between May 1, 2010 through November 20, 2010 and that the closure of Lot 52 between the hours of 5:00 a.m. and 12:30 p.m. is required to permit this operation.

SECTION 2: Council hereby authorizes the City Manager to close Lot 52 on Saturdays from 5:00 A.M. to 12:30 P.M., from May 1, 2010 through November 20, 2010 to permit the operation of the 2010 Farmer's Market within Lot 52 during said time.

SECTION 3: In all other respects the City of Oxford traffic code shall remain in full force and effect.

SECTION 4: 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)

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CLOSE LOT 52 ON SATURDAY, JANUARY 16, 2010, SATURDAY, FEBRUARY 20, 2010, SATURDAY, MARCH 20, 2010, SATURDAY APRIL 17, 2010 AND SATURDAY, DECEMBER 18, 2010 FROM 5:00 A.M. TO 12:30 P.M., TO PERMIT THE OPERATION OF THE WINTER FARMER'S MARKET WITHIN LOT 52 DURING SAID TIME.

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

SECTION 1: Council has determined that it would be beneficial for the City to permit the Winter Farmer's Market to operate on lot 52 on Saturday, January 16, 2010, Saturday, February 20, 2010, Saturday, March 20, 2010, Saturday, April 17, 2010 and Saturday, December 18, 2010 and that the closure of Lot 52 between the hours of 5:00 a.m. and 12:30 p.m. is required to permit this operation.

SECTION 2: Council hereby authorizes the City Manager to close Lot 52 on Saturday, January 16, 2010, Saturday, February 20, 2010, Saturday, March 20, 2010, Saturday, April 17, 2010 and Saturday, December 18, 2010, from 5:00 a.m. to 12:30 p.m., to permit the operation of the 2010 Winter Farmer's Market within Lot 52 during said time.

SECTION 3: In all other respects the City of Oxford traffic code shall remain in full force and effect.

SECTION 4: 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)

RECEIVED

CITY OF OXFORD
City of Oxford

Rev 10/09



☒ REQUEST FOR PUBLIC PARK PERMIT

☐ REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: Please see attached sheet for dates 11/1/09 through 11/1/09 From: 5 a.m./p.m. To: 12:30 a.m./p.m.

Today's Date: 11/23/09 ☐ Emergency Utility Repair (check box, if applicable)

--- Applicant shall allow a minimum of 3 business days for processing ---

Responsible Party:
(18 years of age or older)*

Address:

Telephone:

Cellular:

Fax:

Email:

LARRY J. SLOCUM
803 MORAN RD
HAMILTON, OH 45013

513-505-5238

larry@humminghillarts.com

Organization:

Advisor:

Address:

Telephone:

Cellular:

Fax:

Email:

Non-Profit:

Oxford Farmers Mkt Uptown
Larry Slocum Manager

info@oxfordfarmersmarket.com

☐ Yes ☐ No

* Person in charge - Primary contact

PARK REQUESTED

- ☐ Leonard Howell Park (Bonham Road)
- ☐ Oxford Community Park (Fairfield Road) – Contact 523-6314 to confirm date(s)
- ☐ Memorial Park (E. Park Place & N. Main Street – has pavilion)
- ☐ Martin Luther King Jr. Park (W. Park Place & N. Main Street – animal sculptures & fountain)

* Other: Pking lot 52 and surrounding sidewalk. We will use in the sidewalk so
Pedestrian traffic is not hampered.

TITLE OF EVENT (be specific and include projected attendance)

Oxford Farmers Market Uptown - SATURDAY

Projected Attendance: 300-600 Has this event been held previously? ☒ Yes ☐ No If "YES", when? All Summer

DESCRIPTION OF EVENT

Place a description of the event, along with additional requests, on the appropriate attachment. If request is only for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature:

Larry J. Slocum

Date: 11/25/09

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.

M.U. Use Only

The organization listed above is a registered student organization in good standing with Miami University.

Signature: _____

Date: ____/____/____

Oxford Farmers Market Uptown – 2010

January 16, 2010

February 20, 2010

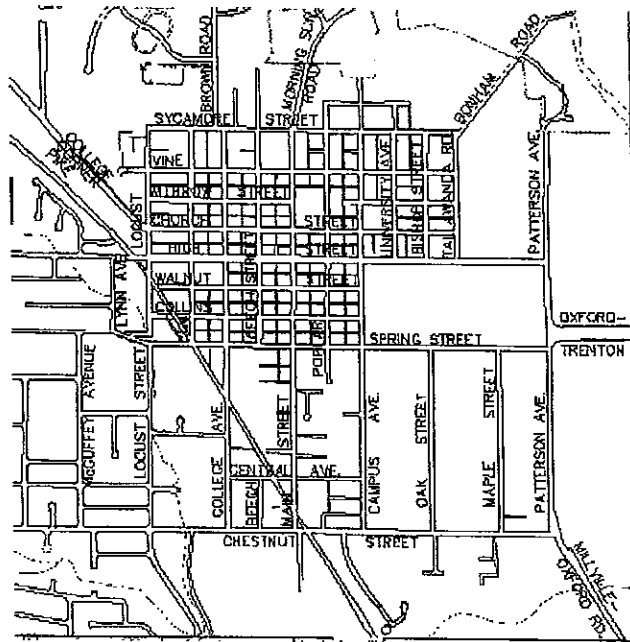
March 20, 2010

April 17, 2010

Beginning May 1, 2010 and running every Saturday until November 20, 2010

December 18, 2010

Note
If your event is outside the boundaries of this map, either attach a separate map or contact the City for assistance.



CITY OF OXFORD / RIGHT-OF-WAY REQUEST DETAILS

Instructions for Applicant: Please clearly denote the parade route, streets and/or sidewalk areas being requested. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

Lot 52 & surrounding sidewalk

Additional Requests:
(Include details in narrative)

- ☐ No Parking Signs
- ☐ Detour(s)
- ☐ Police Assistance

Time Details

	Start	End
Setup		
Event		
Breakdown		

	Applicant's Initials	Review Date
Police Department		
1		
2		
3		
4		
Fire Department		
1		
2		
3		
4		
Service Department		
1		
2		
3		
4		
Recreation Department (if applicable)		
1		
2		
3		
4		
City Manager		
1		
2		
3		
4		

Pre-Meeting (if applicable): Reviewed with _____ on _____.

Reviewer(s): _____

APPROVAL SECTION (with conditions)

Police Chief:	☒ Approved	☐ Not Approved
Fire Chief:	☒ Approved	☐ Not Approved
Service Director:	☒ Approved	☐ Not Approved
Recreation Director:	☐ Approved	☐ Not Approved
City Manager:	☐ Approved	☐ Not Approved

SDS, 11/24/09
 JZ 11-25-09
 11/24/09
 /

 City Manager's Signature

Date: _____

Reason(s) event not approved:

Needs Council Approval

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 15, 2009

Kathryn A. Dale
Prepared By

Account Code No. #:

Budgeted Amount:

December 3, 2009
Date Prepared

Agenda Title: HAPC Meeting Report – December 2, 2009
--

DISCUSSION:

Requests for Review:

HAPC-13-2009 116 E. High Street, High Street Grill and The Balcony, demolition and construction of a new mixed-use building, Tom Kacachos, Applicant (Continuation)

The Applicant seeks a COA for approval to demolish the existing “High Street Grill” & “The Balcony” and replace with a 3-story, 40 foot high, mixed-use building.

Staff recapped that the Applicant was returning with modifications discussed at last month’s meeting, which included adding shutters to the front elevation, adding additional windows to the alley side of the building and proportionally aligning the windows at the rear of the building with the width of the building. Staff asked the Applicant if they came prepared with any material samples. The Applicant indicated that they did not bring any samples since they had not come to a conclusion on many of the building details, but that the residential portion of the building would have the same brick as Bella Place and the commercial area would have the same yellow brick used at 25 W. High Street. Staff asked the Applicant for clarification regarding the window lintels on the east elevation because the revised drawings still showed these as being brick, when the Commission had indicated they wanted to see stone like the rest of the building. The Applicant reassured the Commission that all lintels would indeed be stone.

The HAPC voted 6-0-0 to approve the COA for Demolition of the existing High Street Grill building and 6-0-0 to approve the reuse plan for the site with the following conditions:

1. That, any modifications to the structure as a result of any other City Board or Commission decisions are re-presented to the HAPC.
2. That, final details of the building, including but not limited to window trim color, shutter selection and color, brick color, block type and color, siding color, door selections, signage, lighting, streetscape are presented to the HAPC.

HAPC-14-2009 111 E. Church Street, Metropolitan, approval of wall sign, Matt Rodbro, Applicant(Tabled)

The Applicant shared that he was aware HAPC approval was necessary, but had missed the deadline and the sign manufacturer was in town and available for installation and so the applicant authorized the installation. The Applicant indicated they purposely took into consideration the HAPC Guidelines when looking into the design of the sign by making it all metal. He stated the letters are plastic due to the curvature of the sign. He also stated that the temporary address numerals above the door would be removed if the sign was approved. The Commission indicated that they thought the sign fit in well considering all the woodwork detail above the windows and doors. The HAPC voted 6-0-0 to approve the COA for the sign as presented.

**HAPC-15-2009 109 W. High Street, Morning Sun Café, approval to paint front façade of building,
Tom Uhl, Applicant**

The Applicant was seeking a COA to repaint the commercial storefront color scheme on the entire ground floor façade. The Applicant had already painted the exterior trim on the commercial storefront “starry night blue” and white/beige around the windows without formal approval. The previous color was mint green, on the columns, yellow around the windows and a lavender door. The Applicant indicated that they intended on hiring an artist to paint the leafy floral design in the trim. Prior to actually painting this detail work, the Applicant said the artist had the capability to computer generate how the trim would be painted. The Applicant and Owner at this time are not proposing to paint the rest of the building.

The HAPC shared their concerns on the maintenance of the rest of the building and the Applicant indicated he would share the concerns with the owner. The HAPC voted 6-0-0 to approve the “Starry Night Blue” color selection with the following conditions:

1. That, the computer generated model of the paint detail for the trim be reviewed administratively with the Chair and Vice-Chair prior to painting.
2. That, the center panel below the commercial windows also be painted the “Starry Night Blue”.

**HAPC-16-2009 17 N. Poplar, modification of window and entry, Ted Wood & Dan Fishbaugh,
Applicants**

The Applicant seeks a COA to remove an existing bay window and awning with a standard flat window configuration. The Applicant also wishes to install a double door entry to the southern side of the front façade. At this time they are moving forward with an interior tenant finish and these two modifications are necessary for immediate review and consideration so that the interior tenant finish permits can be processed. The Applicant shared their plans for future exterior modifications. The applicant stated that from inside of the building there were doors once located in this same location and that the framing still existed. Staff shared a photograph of the building when double doors existed to the south of the window.

The HAPC voted 6-0-0 to approve the COA for the window modification and double door installation as presented.

Administrative Findings / Approvals:

ADM-01-2009 36 W. High, Maid-Rite, signage, Mark Koontz, Applicant

ADM-02-2009 22 N. College, Sushi Nara, signage, Steve Jung, Applicant

Mr. Smith shared he approved the sign face change for the new “Maid Rite” deli and the replacement sign at the former Alexander House.

Correspondence and Announcements:

Ms. Dale shared that she had a work shop scheduled with the Smith Regional History Library for January 14, 2010 for anyone interested in submitting an historic marker nomination.

Mr. Smith indicated that he was preparing thank-you notes to Dave Dewitt for volunteering his time to install the Historic Markers and that Ms. Dale and Mr. Kyger were able to get the OCAC agreement signed in order for the plaque to be installed outside.

Ms. Dale shared that Mr. McHugh would be available to meet with the Commission on January 7, 2010 at 5:30 p.m. to discuss his opinion regarding Miami University owned properties and how the guidelines were applied to those properties.

Old Business:

Pillar restoration – Mr. Smith stated that he was still working on getting information together regarding proper pillar restoration.

33. W. High, The Green Door – The approved color selection for the door has been applied.

New Business:

Commission members indicated there was a broken window at the Verizon building needing replaced.

Other Business:

Mr. Smith recognized and thanked Ms. Kay for her involvement with the Commission as this was her last HAPC meeting as a Planning Representative. Ms. Kay indicated that she expected the Planning Commission to select a new representative.

The next regular HAPC meeting is scheduled for January 6, 2010.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

JRC 12/8/09

AKD 12/10/09

DNS 12/10/04

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE COMPUTER EQUIPMENT FROM FLORIDA MICRO.

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

SECTION 1: The City has obtained state pricing for the purchase of computer equipment necessary to upgrade the City's network servers.

SECTION 2: The Ohio Revised Code Section 125.04 permits political subdivisions to purchase equipment at a lower price if the terms, conditions, and specifications are equivalent to state contracts.

SECTION 3: Council hereby authorizes the City Manager to purchase computer equipment from Florida Micro at a cost not to exceed \$29,455.00.

SECTION 4: Council further finds that sufficient funds to meet this purchase price have been appropriated.

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)

oxford seniors

922 TOLLGATE DRIVE
OXFORD, OH 45056

(513) 523-8100 PHONE
(513) 524-3126 FAX

www.oxfordsenior.org

November 30, 2009

RECEIVED
2009
City of Oxford

City Council
City of Oxford
101 East High Street
Oxford, OH 45056

Dear Members of the Oxford City Council:

Oxford Seniors would like to request permission to serve wine at an event in January. We had received a grant in April for capacity building, which was used to develop a new logo and marketing materials. The "New Year, New Look, New Logo" Event is being planned for Monday, January 25. This all-day event will encourage community members to visit the center and see all that we do. Some of the more popular activities will be highlighted throughout the day, culminating with a celebratory toast to our New Look!

Our plan is to have an evening reception from 4-7, with appetizers, soft drinks and wine. A Board member will be appointed as bartender.

Thank you in advance for your consideration of this request.

Sincerely,



Joan Potter-Sommer
Executive Director



CREATING COMMUNITY SINCE 1953

A Regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, November 17, 2009 at 7:34 p.m. Those members present were Ken Bogard, Richard Keebler, Alysia Fischer, Doug Ross, Kate Currie and Greig Rutherford.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director; Ms. Donna Heck, Human Resources Director; Ms. Kim Newton, Assistant to the City Manager and Ms. Mary Ann Eaton, Clerk of Council

ADJOURN TO EXECUTIVE SESSION

Ms. Currie moved to adjourn to Executive Session at 7:00 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Personnel - evaluation of public employees. Mr. Rutherford seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford, Ms. Dana (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Currie moved to return from Executive Session at 7:33 p.m. Mr. Bogard seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Dana (7)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Dana called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Fischer moved to approve the agenda. Mr. Rutherford seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **'HUMAN RIGHTS AND SOCIAL** **JUSTICE WEEK'**

Mayor Dana read the Proclamation and noted she would present it to members of the Center for American and World Cultures at Miami University during one of the events tomorrow.

PUBLIC COMMENTS

Mr. Jerome Conley, 625 Brookview Court, addressed Mayor Dana, Ms. Fischer and Mr. Ross noting one chapter of their lives was coming to an end and a new life as a private citizen would commence once again. Mr. Conley noted as we reflected on the past 8 years for Mayor Dana and Mr. Ross, and 4 years for Ms. Fischer, many things had taken place that they should be extremely proud of. Mr. Conley advised as the new Council commenced on November 23, 2009 we hoped they too would look towards that great Athenian Oath that once said 'We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and sacred things of the City both alone and with many. We will revere and obey the City's laws, and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive increasingly to quicken the public's sense of civic duty. Thus in all these things we will transmit this City, not only not less, but greater and more beautiful than it was transmitted to us.' Mr. Conley noted his hope as the Councilors left their seats they could look back and say that they indeed left the City better than when they found it. Mr. Conley thanked Mayor Dana, Ms. Fischer and Mr. Ross for their service on behalf of the citizens of Oxford.

Mr. Jim Robinson, 455 Emerald Woods Drive, thanked members of Council whose terms were ending on behalf of his family noting they had given of their time and energies and time away from their families to read hundreds of pages of reports and to meet with other Boards and Commissions which they all served on. Mr. Robinson noted there were no details in any report that Ms. Fischer did not spot and bring to the attention of her colleagues. Mr. Robinson noted Ms. Fischer brought a mile square perspective to meetings and to legislation regarding it and for that Mr. Robinson noted he was personally very appreciative. Mr. Robinson noted his hope Ms. Fischer's next adventure would be a good one and that she would return someday so her talents could be tapped again as they were many. Mr. Robinson noted Mr. Ross's populist views were appreciated and he looked to the common man and always asked his colleagues to look at how a piece of legislation would affect an individual. Mr. Robinson noted those who were individuals and the many others Mr. Ross served appreciated his efforts. Mr. Robinson noted Mr. Ross's sense of humor and comments which were legion would not soon be forgotten. Mr. Robinson thanked Mr. Ross for his service. Mr. Robinson noted Ms. Dana had served her community in so many ways even before she became Mayor of the City of Oxford. Mr. Robinson advised during Mayor Dana's tenure as Mayor she served with great poise and grace and his family was so proud that she acted as Mayor.

Mr. Robinson advised no matter what meeting Mayor Dana attended or where she spoke it was always clear that she had the best interest of the citizens of Oxford at heart. Mr. Robinson thanked Mayor Dana, Mr. Ross and Ms. Fischer for their service and wished them well.

Ms. Bobbe Burke, 722 David Drive, updated Council with regard to 'Make a Difference Day' activities. Ms. Burke noted Off Campus Senators would conduct 'Walk-Abouts' prior to the Thanksgiving break and Spring break. Ms. Burke thanked Mayor Dana, Mr. Ross and Ms. Fischer for their service to the community. Ms. Burke noted Mayor Dana had been wonderfully accessible to the Miami University students which she appreciated very much. Ms. Burke advised Ms. Fischer's presence on the Student Community Relations Commission had been an incredible help to students noting they understood they could make a difference, work on problem solving and bring solutions to the forefront. Ms. Burke noted she looked forward to sending Mr. Ross invitations for additional ways he could engage with Miami University students.

Ms. Kathleen Zien, 6060 Joseph Drive, advised she spoke to Council on October 20, 2009 regarding the demolition of the Stafford house and noted she was anxious to see Mr. McHugh's report to Council regarding Miami University's compliance with the City Zoning Code. Ms. Zien noted her disappointment with the October 13, 2009 Planning Commission's decision to consider the proposed changes to the Stewart Square PUD a minor revision by a vote of 4-3-0. Ms. Zien noted her appreciation for Ms. Fischer and Mr. Ross's attention to the public. Ms. Zien noted for the hundreds of City meetings she had attended over twenty four years it would be difficult in her mind to match the skills of Ms. Fischer. Ms. Zien noted Ms. Fischer did her homework before meetings and was not influenced by the status of the person or organization making a request. Ms. Zien noted her feeling Ms. Fischer was the perfect Council representative on the Planning Commission as she carried the link of important information to Council and clarified questions first hand. Ms. Zien noted if Ms. Fischer chose to serve again the City would benefit from her expertise, diplomacy and tact.

Ms. Janice Dutton, 302 W. Vine Street, thanked Mayor Dana, Mr. Ross and Ms. Fischer for their service on Council. Ms. Dutton addressed Council with regard to the use of Tasers. Ms. Dutton referred to Section H of the Police Department's proposed revised Taser Policy and asked that training on the safety of these weapons would not be limited to the training materials provided by the manufacturer and would include research that may contradict the manufacturer's claims. Ms. Dutton referred to Section K and note trainees must be fully apprised of the medical risk of being tasered during their training. Ms. Dutton referred to Section L and asked for language to be included as follows: 'The Division of Police will conduct an annual audit of Taser deployments that will form the basis for training recommendations and/or policy revisions. This audit should also include basic research into the latest advancement or concerns and medical research, knowledge of officer injuries and police lawsuits in North America against the manufacturer, the question of the reliability of the weapons, training injuries, and the deaths and serious injuries of citizens after being shot with the weapons.' Ms. Dutton asked that the officers were able to make the most informed decision possible about using Tasers in order to avoid another tragedy.

Ms. Linda Kimball, 724 Melinda Drive, thanked the retiring members of Council for their years of service to the community. Ms. Kimball thanked Mr. Bogard and congratulated him on his re-election. Ms. Kimball advised she compared the revised Police Procedural Order regarding the use of Tasers with the original Order and found it to be compressed in some places and enlarged in others in ways to explain the rationale for why Tasers were used. Ms. Kimball noted the document was reorganized but essentially the same except for the addition of item F1 and F3. Ms. Kimball noted she was troubled that there were only two revisions and it troubled her that Council did not or could not weigh in or set policy on the use of force and continuum of force procedures of the Police Department. Ms. Kimball noted her hope that the policy for Taser use would be evaluated on an annual basis using medical evidence from independent sources. Ms. Kimball noted she would like Council to have policy making authority in this area.

Mr. Randi Thomas, noted he wanted to add his congratulations to the outgoing Council members and thanked them for their service. Mr. Thomas advised he visited Stewart Square recently and noted he felt it was a really nice development. Mr. Thomas thanked Council for their efforts regarding Northridge Subdivision and for the installation of traffic calming devices. Mr. Thomas noted his feeling Oxford was a good City and encouraged Council to keep up the good work.

CONSENT AGENDA

Mr. Keebler requested removal of Item A. Minutes and Item F. Resolution.

REPORTS

Report regarding the October 15, 2009 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

Report regarding the October 28, 2009 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the November 4, 2009 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTIONS

RESOLUTION **TRI LEASE**

A Resolution No. 4490 granting the Talawanda Recreation, Inc. (TRI) a two (2) year lease and authorizing the City Manager to execute the new lease. (Gail Brahier, Parks and Recreation Director)

RESOLUTION
LONG MEADOW
SUBDIVISION SECTION 5

A Resolution No. 4491 authorizing the release of a Performance Bond recorded in Volume 7695, Page 1964 of the lien records of the Butler County, Ohio Recorder's Office for Long Meadow Subdivision, Section 5, and acceptance of a new Performance Bond. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard moved to approve the consent agenda. Ms. Currie seconded. The motion passed 7-0-0.

MINUTES

Minutes of the November 3, 2009 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Keebler noted a correction on page 2 of the minutes.

Mr. Keebler moved to approve the minutes as corrected. Ms. Currie seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH
LAN SOLUTIONS

A Resolution authorizing the City Manager to enter into an agreement with LAN Solutions for the purchase of computer equipment, software and professional services related to the City of Oxford's virtual server upgrade at a cost not to exceed \$56,319.70. (Kim Newton, Assistant to the City Manager)

Mr. Keebler requested the rationale for not seeking competitive bids for a least the equipment part of the proposed project. Ms. Newton advised she sent the specifications to three other vendors and received quotes for the equipment purchase and overall LAN Solutions offered the lowest price. Mr. McHugh inquired how much the equipment costs were and Ms. Newton advised \$46,469 which included licensing and \$9,800 for installation. Mr. Elliott advised this was a large project and the licensing was fairly expensive. Mr. Keebler noted this was a single contract with one company for the amount of \$56,319 and he did not know how it could be done without following the competitive bidding process. Mr. Elliott noted Ms. Newton obtained quotes from other vendors and suggested tabling the proposed Resolution until additional information was provided to Council.

Mr. Keebler moved to table the proposed Resolution to satisfy the requirements the competitive bidding process. Ms. Fischer seconded. The motion passed 7-0-0.

RESOLUTION

RESOLUTION **AGREEMENT WITH** **OXFORD TOWNSHIP**

A Resolution No. 4492 authorizing the City Manager to enter into a new agreement with Oxford Township, Butler County Ohio and authorizing the City of Oxford to provide Fire Protection and Emergency Medical Services to Oxford Township pursuant to the agreement. (Doug Elliott, City Manager)

Mr. Elliott addressed his staff report as presented on page 36 of the agenda and explained two changes the Township requested with regard to the proposed agreement. Mr. Elliott noted his hope the Township Trustees would vote on the proposed agreement at their next meeting.

Mr. Keebler noted his feeling the proposed agreement was fair and good for the Township as well as the City and recommended that Council adopt the legislation.

Ms. Fischer, Mr. Bogard, Mr. Rutherford and Mr. Ross thanked Mr. Elliott for his efforts and perseverance regarding the initiative.

Mr. Bogard moved to adopt Resolution No. 4492. Mr. Rutherford seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCES **FIRST READING**

ORDINANCE **EXTEND CONDITIONAL** **USE PERMIT**

An Ordinance Approving The Extension Of The Conditional Use Permit For A Miami University Community Federal Credit Union Branch Facility With A Drive-Through At 5120 College Corner Pike, Approved By Ordinance No. 2932 On November 21, 2006, For A Period Of Six Months. (Jung-Han Chen, Community Development Director)

Mr. Chen addressed his staff report as presented on page 41 of the agenda noting Mr. Rick Parker was in attendance to answer any questions.

Mr. Rick Parker, President/CEO, Miami University Community Federal Credit Union, noted his experience with everyone involved with the City and especially City Council had been extraordinary. Mr. Parker updated Council on the status of the project noting they were meeting their goals but a lot depended on the economy.

Mr. Ross and Mr. Rutherford noted their support for the request.

Mr. Bogard inquired how many extensions were permitted. Mr. Chen advised four and this was the third request for an extension.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 9 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 45 of the agenda noting additional CDGB funds were available for handicap ramp improvements. Mr. Newlin explained the additional appropriations needed for the City's portion of the US 27 North Phase III improvements.

Mr. Bogard inquired if it was a federal requirement to make all curbs handicap accessible which Mr. Elliott and Mr. Dreisbach addressed.

Mr. Ross noted the northwest corner of Spring Street and College Avenue needed repair.

ORDINANCES
SECOND READING

ORDINANCE
ANNEXATION

An Ordinance No. 3086 Authorizing The Annexation Of 0.559 Acres Of contiguous Territory And Directing The City Attorney To Prosecute The Proceedings Necessary To Effect Said Annexation. (Doug Elliott, City Manager)

Mr. Elliott advised he had no new information to add since the first reading of the proposed Ordinance.

Mr. Bogard moved to adopt Ordinance No. 3086. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMEND SECTION 521.12

An Ordinance No. 3087 Amending Section 521.12 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled Outdoor Furniture Restriction. (Steve Schwein, Police Chief)

Chief Schwein advised he had no new information to add since the first reading of the proposed Ordinance.

Mr. Bogard noted the proposed Ordinance would clarify the existing Ordinance as requested by Judge Lyons.

Ms. Fischer noted this was part of the constant 'tweaking' process to have a tool that worked for the community.

Ms. Fischer moved to adopt Ordinance No. 3087. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Ross,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTION 505.17

An Ordinance No. 3088 Adopting And Enacting Section 505.17 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled Keeping Of Chickens In A Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing to add since the First Reading.

Mr. Rob Abowitz, 5 Bull Run Drive, thanked Council for the proposed legislation noting he thought chickens were already allowed in the City limits. Mr. Abowitz asked Council to amend the proposed Ordinance to allow six chickens as opposed to four due to a minimum quantity for purchase requirement of the hatchery.

Ms. Linda Kimball, 724 Melinda Drive, noted she thought there was already a Codified Ordinance related to the issue and Mr. McHugh advised there was not.

Ms. Fischer moved to strike four (4) in Section I and Section 505.17 (b)(1) and replace with six (6). Ms. Currie seconded. The motion passed 5-2-0 with Mr. Bogard and Mr. Keebler voting nay.

Mr. Rutherford advised he felt there was a problem with corner lots which did not have rear yards.

Mr. Rutherford moved to amend Section 505.17 (b)(6) to read 'A person shall not keep chickens within the front yard of any property. For purposes of this section, front yard means that portion of the lot between the façade and the right-of-way.' The motion failed for the lack of a second.

Mr. Bogard noted his concern chickens would attract predators such as fox, coyote and rodents. Mr. Bogard noted he felt keeping chickens was a trend and this was a 'convenience' Ordinance for a few residents. Mr. Bogard advised he felt the proposed Ordinance was not in the best interest of the health, welfare and safety of the citizens.

Ms. Fischer noted the Comprehensive Plan called for sustainability within the community. Ms. Fischer noted she did not think keeping chickens was a trend as people had kept them for some time for the use of the eggs. Ms. Fischer noted her feeling predators would not be a problem adding there were plenty of squirrels in the community. Ms. Fischer noted her hope she would leave City Council having been part of the legalization of chickens.

Mr. Keebler advised predators were becoming a major problem in some communities and coyotes had been spotted just outside of Oxford. Mr. Keebler noted it might be better to ignore those who were keeping chickens than to pass enabling legislation. Mr. Keebler advised if enabling legislation was adopted and predators became a major problem, the keeping of chickens would have to be outlawed.

Ms. Currie advised she did not have a problem with the proposed legislation noting she did not think predators would be a problem as long as people contained the food in a sensible manner.

Mr. Ross advised his feeling Oxford was a much better community when chickens were allowed.

Ms. Fischer moved to adopt Ordinance No. 3088. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Ross, Ms. Dana (4)

NAY: Mr. Bogard, Mr. Keebler, Mr. Rutherford (3)

ABS: None (0)

ORDINANCE
2010 BUDGET

An Ordinance No. 3089 To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Oxford, State Of Ohio, During Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on pages 58 and 59 of the agenda.

Ms. Fischer noted she was pleased that the Oxford College Corner Clinic received additional funding.

Mr. Bogard inquired if legislation was forthcoming regarding the change in the allocation of funds for the Visitors and Convention Bureau and Mr. Newlin advised yes.

Mr. Rutherford advised he was pleased the City was able to fund the social service agencies as they were all struggling and noted his hope the City would be able to continue the funding.

Ms. Currie moved to adopt Ordinance No. 3089. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Rutherford, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: Mr. Ross (1)

ORDINANCE
2010 FEES

An Ordinance No. 3090 Adopting Fees And Charges For Fiscal Year 2010. (Joe Newlin, Finance Director)

Mr. Newlin advised Ms. Brahier addressed Council's questions regarding the Parks and Recreation Department in her weekly report. Mr. Newlin noted the Contractor Registration Fee was omitted and would be handled administratively.

Mr. Rutherford referred to the Refuse Service fees for residential and commercial customers on page 78 of the agenda and noted his feeling refuse collection should cost the same for everyone or the City should pursue a volume based system. Mr. Rutherford advised he felt the current system was not equitable to all residents within the City.

Mr. Rutherford moved to amend the rate for all residences with individual trash pick up to \$16.76 per month plus \$3.00 if the waste-wheeler was rented and to strike with four dwellings or less. The motion failed for the lack of a second.

Mayor Dana advised Mr. Rutherford's point was well taken and the City might consider a volume based system in the future.

Mr. Bogard noted costs for 'Hand Service' could be eliminated if residents or property owners took the trash containers to the curb or alley and Mayor Dana noted the importance of educating people on their options.

Ms. Fischer cautioned Council with regard to a volume based system noting it could be difficult for the billing department and it could be difficult to make it truly equitable with the move in and move out of students each year.

Mr. Keebler advised Rumpke bid the contract based on experience and what they needed to do between high and low volume collection without installing scales on their trucks. Mr. Keebler noted the fees were based on Rumpke's charge to the City plus a mark up for the closure of the landfill and the large pick-up during the spring and fall of each year.

Ms. Currie agreed with Ms. Fischer and Mr. Keebler. Ms. Currie noted it was difficult for Mr. Rutherford's motion to be seconded because the fees were based on a contract and the cost for commercial service couldn't be decreased with increasing residential service.

Mr. Elliott advised he and Mr. Dreisbach would continue to work with Rumpke and noted he appreciated Council's comments.

Ms. Fischer moved to adopt Ordinance No. 3090. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Fischer, Mr. Keebler, Mr. Ross, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: Mr. Rutherford (1)

ABS: None (0)

ORDINANCE
2010 SALARIES

An Ordinance No. 3091 Establishing Salaries And Certain Benefits For Salaried And Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio Paid From January 1, 2010 Through December 31, 2010. (Donna Heck, Human Resources Director)

Ms. Heck advised she had no new information to add since the First Reading.

Mr. Ross advised he took exception with the longevity bonus pay for employees. Mr. Ross noted his feeling the City employees owed Ms. Heck a great debt of thanks.

Mr. Bogard moved to adopt Ordinance No. 3091. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer,
Ms. Dana (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mayor Dana advised Council received a report from the City Manager regarding the use of Tasers and asked them to provide staff with direction regarding the matter.

Mr. Ross advised he would like to see the Tasers, a dangerous but effective tool, back in the hands of the Oxford Police Department as soon as possible.

Mr. Rutherford noted he felt there was more work to be done regarding the Taser Policy. Mr. Rutherford noted concern with the language in item 'F'. Ms. Fischer suggested amending item 'F' to read 'The Taser will not be deployed in the following situations when there is minimal physical resistance:'

Mr. Elliott advised his plan was to approve the revised Taser Policy. Mr. Elliott noted the public had weighed in and Council had weighed in and it was Council's decision as to whether or not they would continue to weigh in. Mr. Elliott advised typically Councils did not vote on each and every operational policy.

Mr. Rutherford noted he was in favor of the officers carrying Tasers and wanted the language in the Policy to protect citizens and law enforcement.

Ms. Fischer noted the training should include training other than a re-certification by Taser International. Ms. Fischer noted the public wanted to know that the City was aware of the risks associated with the tool and that the officers would use it judiciously.

Mr. Bogard and Mr. Keebler noted they felt areas of concern had been addressed and the policy should be signed.

Members of Staff and City Council provided their closing remarks.

ADJOURNMENT

Mr. Bogard moved to adjourn at 10:00 p.m. Mr. Rutherford seconded. The motion passed 7-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, December 1, 2009 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie Bob Blackburn, John Harman and Kevin McKeehan. Greig Rutherford was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session at 7:00 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions and Employee Evaluations. (3) Pending Litigation and (4) Collective Bargaining. Ms. Currie seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Blackburn, Mr. McKeehan, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

Mr. Harman arrived at 7:12 p.m.

RETURN FROM EXECUTIVE SESSION

Ms. Currie moved to return from Executive Session at 7:28 p.m. Mr. Bogard seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Bogard, Mr. Blackburn, Mr. Harman, Mr. McKeehan, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to amend the agenda under Public Participation by inserting item B. Appointments to Boards and Commissions and item C. Request by Bethany Bower and Prue Dana: 'Acting Locally' and changing Public Comments to item D. Ms. Currie seconded. The motion passed 6-0-0.

Mr. Bogard moved to approve the agenda as amended. Mr. McKeehan seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

RECOGNITION

Prue Dana, Doug Ross and Alysia Fischer.

Mayor Keebler read and presented Ms. Dana with a Resolution commending her for her years of service on City Council. Mayor Keebler also presented Ms. Dana with a gift of appreciation from Council and staff.

Ms. Prue Dana, thanked the new Council members for stepping up to the plate to serve. Ms. Dana noted it had been an honor and privilege for her to serve on Council for the last eight years.

Mayor Keebler read and presented Ms. Fischer with a Resolution commending her for her years of service on City Council. Mayor Keebler also presented Ms. Fischer with a gift of appreciation from Council and staff.

Ms. Alysia Fischer, noted her thanks to Council and staff.

Mayor Keebler read and presented Mr. Ross with a Resolution commending him for his years of service on City Council. Mayor Keebler also presented Mr. Ross with a gift of appreciation from Council and staff.

Mr. Doug Ross, noted he highly recommended being on City Council for anyone living within the City limits noting it had been a wonderful learning experience. Mr. Ross wished everyone the best of health.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Currie moved to nominate Sierra B. Hughes to serve on the Community Relations Commission. Mr. Blackburn seconded. The motion passed 6-0-0.

PRESENTATION
YOUR TOWN
DESIGN WORKSHOPS

Ms. Prue Dana, advised she and Bethany Bower were requesting Council's consideration of an opportunity to apply for a National Endowment of the Arts grant called 'Your Town Design' workshop.

Ms. Bethany Bower, advised the formal name of the program was called 'Your Town: The Citizens Institute on Rural Design' which consisted of a two and a half day workshop which would bring together design professionals with community members sponsored by the National Endowment for the Arts. Ms. Bower noted the objectives included bringing community members together to identify development goals and empower them to gain resources they might use to implement change. Ms. Bowers discussed why Oxford was a good fit for the program and why Oxford was a good fit now. Ms. Bowers advised the grant would allow the township, City and Miami University to have a discussion on what they wanted the community to look like. Ms. Bower noted she and Ms. Dana had already met with the Geography, Architectural Science and Wilks Institute at Miami University as well as the Butler County Planning Commission, Oxford Township and the City of Oxford's Planning Department.

Ms. Dana addressed the handout she provided regarding the grant and the RFP and answered questions from Council regarding the initiative.

Mayor Keebler advised a Resolution of support for the grant application should be drafted for Council's consideration at the next meeting. Mayor Keebler advised prior to Council's consideration and vote on a Resolution they would have to know if there was a cost to the City, what the cost was to the City in staff time, and what the Planning Commission's level of support for the grant application was.

PUBLIC COMMENTS

Mr. Peter Schuller, 17 Quail Ridge Drive, noted he was following up on a request he made to Council on November 3, 2009 to make the 'in City' portion of Brookville Road a Target Enforcement Area including a stationery radar sign. Mr. Schuller advised he collected petition signatures that requested the speed limit be reduced to 25 mph which he would submit to the Clerk of Council.

Ms. Diana Durr, Executive Director, Oxford Visitors and Convention Bureau, thanked previous Council members on the behalf of the Board of Directors for working with them over the years. Ms. Durr welcomed the new Council members and noted she looked forward to working with Councilor Blackburn who would serve on the Board. Ms. Durr advised Doug Ross agreed to remain on the Board as a member at large.

Ms. Durr shared pictures and cards she received from the McGuffey Foundation School with Council members.

Mr. Matt Ciccone, Secretary, Off Campus Affairs, introduced himself to the new Council members. Mr. Ciccone thanked Ms. Dana and Ms. Fischer for the work they had done with the University.

Ms. Connie Elliott, 118 Homestead Avenue, thanked former Mayor Dana for her support of the Smoky and Tornado project and provided Council with information on the project.

CONSENT AGENDA

Mr. McKeehan requested removal of item D. Resolution and Mayor Keebler requested removal of item F. Resolution.

MI NUTES

Minutes of the November 23, 2009 City Council Organizational Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the November 10, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 19, 2009 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTION **CONTRACT WITH** **NEYRA PAVING**

A Resolution No. 4497 authorizing the City Manager to adjust the existing contract with Neyra Paving, Inc. for an amount not to exceed \$128,570.00 to fully utilize the Community Development Block Grant (CDBG) funds available to the City for the year 2009. (Mike Dreisbach, Service Director)

Mr. Bogard moved to approve the consent agenda. Ms. Currie seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
WAIVE PARKING FEES

A Resolution No. 4496 authorizing the City Manager to waive parking meter fees on High Street, East Park Place, West Park Place, and in Lot 52 from 9:00 a.m. on December 21, 2009 until 6:00 p.m. on January 2, 2010. The two hour restriction for meters in these locations will remain in effect. (Steve Schwein, Police Chief)

Mr. Elliott advised Mr. McKeehan requested consideration of adding Poplar, Main and Beech Streets from Walnut to Church Street to the proposed Resolution to waive parking meter fees and he and Chief Schwein supported the request.

Ms. Currie inquired how many meters would be included in the initiative and Mr. Elliott advised approximately 300.

Mr. McKeehan moved to amend the proposed Resolution to include Poplar, Main and Beech Streets from Walnut to Church Street. Mr. Blackburn seconded. The motion passed 6-0-0

Ms. Currie moved to adopt Resolution No. 4496 as amended. Mr. McKeehan seconded. The Resolution was adopted by a vote of 6-0-0.

RESOLUTION
AGREEMENT WITH
LAN SOLUTIONS

A Resolution authorizing the City Manager to enter into an agreement with LAN Solutions for the purchase of computer equipment, software and professional services related to the City of Oxford's virtual server upgrade at a cost not to exceed \$56,319.70. (Kim Newton, Assistant to the City Manager) **(Tabled)**

Ms. Currie moved to remove the proposed Resolution from the table. Mr. Blackburn seconded. The motion passed 6-0-0.

Mr. Elliott advised additional information and a new Resolution regarding the purchase of computer equipment would be provided at the December 15, 2009 meeting. Mr. Elliott requested the proposed Resolution be withdrawn.

Ms. Currie moved to withdraw the proposed Resolution. Mr. Bogard seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 10 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on pages 22 and 23 of the agenda.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 11 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin noted the proposed Ordinance was for end of year adjustments.

ORDINANCE
BUDGETED ADVANCES

An Ordinance Outlining Budgeted Advances For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 26 of the agenda.

ORDINANCE
BUDGETED TRANSFERS

An Ordinance Outlining Budgeted Transfers For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)

Mr. Newlin explained the budgeted transfers line item by line item.

ORDINANCE
HOTEL/MOTEL TAX

An Ordinance Modifying The Requirements For The Disposition Of Hotel/Motel Tax Receipts By Amending Section 183.03 Of The Oxford Code Of Ordinances To Comply With The Provisions Of The Ohio Revised Code Chapter 5739. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 31 of the agenda.

ORDINANCE
NEW SECTION
503.02 & 503.98

An Ordinance Repealing Oxford Code Of Ordinances Sections 503.02 And 503.98 And Adopting New Oxford Code Of Ordinances Sections 503.02 And 503.98 Titled 'Classification Of Civil Offenses' And 'Civil Fines'. (Steve Schwein, Police Chief)

Chief Schwein addressed his staff report as presented on page 33 of the agenda noting the proposed Ordinance and the next one were companion Ordinances. Chief Schwein thanked Mr. McHugh for re-working the language of the Ordinances.

Mr. McHugh noted the original language was reinstated in the proposed Ordinance as merging the Police and Fire civil citations with code enforcement civil citations did not work well. Mr. McHugh advised a new Ordinance was created to handle the Police and Fire civil citations.

ORDINANCE
NEW CHAPTER 507

An Ordinance Adopting New Chapter 507 Entitled 'Police And Fire Civil Citations', Section 507.01 'Police Civil Citations', Section 507.02 'Police Civil Citation Fines', Section 507.03 'Fire Civil Citations', Section 507.04 'Fire Civil Citation Fines', Section 507.05 'Notice Of Police And Fire Civil Offense And Civil Fine; Procedures', Section 507.06 'Answer To Notice Of Police Or Fire Civil Offense', Section 507.07 'Hearings', Section 507.08 'Default', Section 507.09 'Civil Proceedings', Section 507.10 'Administrative Regulations', Section 507.11 'Freedom From Improper Influence', Section 507.12 'Ex Parte Communications Prohibited', Section 507.13 'Definition Of Person' And Section 507.14 'Savings', Of The Oxford Code of Ordinances. (Steve Schwein, Police Chief)

Chief Schwein advised the intent of the proposed Ordinance was to not severely punish someone for a minor offense such as a u-turn, no front license plate or jaywalking. Chief Schwein noted the proposed Ordinance would eliminate a court appearance and \$105.00 in court costs as well as paying an officer overtime to appear in court. Chief Schwein requested that Section 521.12 'Outdoor Furniture Restriction' be included in the proposed Ordinance noting his feeling officers would write more citations for this offense if it was a civil offense.

Mr. Harman noted his feeling less overtime and a reduction in fines was an excellent idea.

Ms. Currie requested clarification of the fireworks penalties which Chief Detherage addressed. Ms. Currie advised she was not inclined to include the Outdoor Furniture Restriction in the proposed Ordinance as the penalty had been changed from a misdemeanor to a minor misdemeanor and the Ordinance had been in a trial phase for a couple of years.

Mr. McHugh advised all of the offenses in question were minor misdemeanors but remained in the criminal code as well to give the officers and Fire Chief some flexibility.

Mr. Bogard noted his support for the inclusion of the Outdoor Furniture Restriction in the proposed Ordinance.

Mayor Keebler noted the question was whether or not a court appearance verses a civil citation caused less infraction. Mayor Keebler noted if the Outdoor Furniture Restriction was added to the proposed Ordinance he would like a report in a year from now showing the results.

Ms. Currie noted her feeling a court appearance was a deterrent to people not complying with the outdoor furniture restriction and she would like to see a report after a year if it was added to the proposed Ordinance.

Mr. Harman moved to add section 521.12 Outdoor Furniture Restriction to the proposed Ordinance. Mr. Bogard seconded. The motion passed 5-1-0 with Ms. Currie voting nay.

ORDINANCES

SECOND READING

ORDINANCE

EXTEND CONDITIONAL

USE PERMIT

An Ordinance No. 3092 Approving The Extension Of The Conditional Use Permit For A Miami University Community Federal Credit Union Branch Facility With A Drive-Through At 5120 College Corner Pike, Approved By Ordinance No. 2932 On November 21, 2006, For A Period Of Six Months. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was the third request for a six month extension of the conditional Use Permit and noted one more extension was available after which the construction and/or operation of the facility should be well underway.

Mayor Keebler inquired if the petitioner was present and Mr. Chen advised no. Ms. Currie noted the petitioner was present at the first reading of the proposed Ordinance.

Ms. Currie moved to adopt Ordinance No. 3092. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeenan, Mr. Blackburn, Mr. Bogard, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3093 Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 9 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on page 50 of the agenda.

Mr. Bogard moved to adopt Ordinance No. 3093. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council on the US 27 North project.

Mr. Elliott noted the Council Retreat was tentatively scheduled for January 5, 2010 in place of the regular Council meeting at Hueston Woods from 4 to 8 p.m.

Mr. Elliott advised Oxford Township should sign the new Fire/EMS contract with the City at their December 14, 2009 meeting. Mr. Elliott advised a meeting would be scheduled soon with Milford Township to discuss a new Fire/EMS contract between them and the City.

Ms. Brahier reminded everyone that the Holiday Festival would take place this weekend and provided details of the events taking place Friday evening and Saturday.

Mr. Kyger congratulated Council on their first meeting.

Mr. McKeehan thanked staff and Council for support of his amendment to the Resolution waiving parking meter fees.

Mr. Bogard noted he and Mr. Elliott and Mr. Kyger were attending the Butler County Chamber Caucus Legislative Breakfast tomorrow morning. Mr. Bogard noted if members of the public wanted them to ask questions of the legislators they should see him after the meeting tonight.

Ms. Currie inquired if staff considered placing a radar sign on Brookville Road. Mr. Dreisbach advised he would like to review the petition submitted by Mr. Schuller. Mr. Dreisbach noted expenditures of this nature should meet the most needs not just one citizen's request.

Mayor Keebler advised Council asked the City Manager and Police Chief to work with the county and township to lower the speed limit from the Community Park into the City.

Mr. Elliott noted Chief Schwein sent a letter to the county requesting a decrease in the speed limit. Mr. Elliott advised a lot of the land on the south side was not within the City's jurisdiction.

Mr. Dreisbach noted when the Community Park was opened a study was done by the county which did not warrant a change in the speed limit.

Ms. Currie noted the New Years Eve open house to kick-off Oxford's Bicentennial would take place December 31, 2009 at the Community Arts Center from 4:00 to 7:00 p.m. Ms. Currie advised there would be a lot of fun events for children and adults.

Mr. Harman thanked Ms. Brahier and Ms. Durr for their efforts in bringing the Adidas Soccer Tournament to Oxford which was expected to bring \$350,000 in revenue to the City.

Mr. Harman advised it had come to his attention that the City was absorbing the fees from Master Card and Visa for utility payments. Mr. Harman noted he would like to discuss options such as charging a flat fee to cover these costs. Mr. Newlin advised he was working on the issue and would provide additional information to Council in the next few weeks.

Mr. Blackburn thanked Chief Schwein for the special attention to rental properties during the Thanksgiving break.

Mr. Blackburn noted the Street Department did a great job with the leaf pick-up initiative.

Mayor Keebler noted former Mayor Dana would be a tough act to follow with respect to her organization, leadership, interaction with the community and organizations and general commitment to the position. Mr. Keebler advised he would give the position his best effort and thanked Council for electing him Mayor.

Mayor Keebler advised Council had a lot on the table such as assuring adequate Fire and EMS services, maintaining City services and infrastructure in light of reduced revenue, completing the US 27 N improvements, supporting the infrastructure for the new high school, US 27 S improvements, solving the Police, Court and Administrative space needs, improve economic development, continue to implement the goals of the Comprehensive Plan, work with the township on future growth and planning issues and to continue planning to add facilities at the Community Park including a new aquatic center.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:02 p.m. Mr. Harman seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: December 15, 2009

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

December 3, 2009
Date Prepared

Agenda Title: Environmental Commission Meeting of December 2, 2009

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, December 2, 2009 meeting were: Chair, Mr. Charlie Ford; Vice-Chair, Mr. Wright Gwyn; Planning Commission Representative, Mr. Ted Wong; and Ms. Kelly Church. A quorum was not present. City Council Representative, Mr. Greig Rutherford was ill; Secretary, Ms. Heidi Schran and Mr. Kevin Armitage had scheduling conflicts. The Commission meeting was moved from the fourth Wednesday of November due to the proximity of Thanksgiving.

The Commission members present reviewed the draft final proposal of the Institute of Environmental Sciences (IES) graduate student public service project to inventory Oxford's public trees and determine their potential of carbon sequestration. The formal presentation of the proposal by the IES student team is scheduled in January 2010. Staff was requested to inform the Commissioners of the date, time and location of the proposal presentation.

Discussion of open-space cluster residential development concluded with Chair Charlie Ford and Vice-Chair Wright Gwyn volunteering to prepare an informational packet outlining the Environmental Commission's recommendations for the Planning Commission's consideration. The information is to express why the Environmental Commission considers encouragement of open-space cluster developments to be in Oxford's and the citizen's best interests, the nature of incentives to be offered to developers and how it is in the developer's interest to utilize open-space cluster concepts, an example of an open-space residential development city ordinance, case studies or examples of successful open-space residential developments in Ohio, and examples of hypothetical conventional residential developments as compared to the same land developed utilizing open-space cluster concepts. The intent is to have a draft informational packet prepared for review during the January 2010 Environmental Commission meeting.

The Commission adjourned at 8:00 p.m. The next Commission meeting is tentatively scheduled for Wednesday, January 27, 2010 at 7:00 p.m. in the Municipal Building's Second Floor Conference Room.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date
WBD 12/4/09
DN 12/10/09

ORDINANCE NO. _____

AN ORDINANCE ADOPTING NEW CHAPTER 507 ENTITLED "POLICE AND FIRE CIVIL CITATIONS", SECTION 507.01 "POLICE CIVIL CITATIONS", SECTION 507.02 "POLICE CIVIL CITATION FINE", SECTION 507.03 "FIRE CIVIL CITATIONS", SECTION 507.04 "FIRE CIVIL CITATION FINE", SECTION 507.05 "NOTICE OF POLICE AND FIRE CIVIL OFFENSE AND CIVIL FINE; PROCEDURES", SECTION 507.06 "ANSWER TO NOTICE OF POLICE OR FIRE CIVIL OFFENSE", SECTION 507.07 "HEARINGS", SECTION 507.08 "DEFAULT", SECTION 507.09 "CIVIL PROCEEDINGS", SECTION 507.10 "ADMINISTRATIVE REGULATIONS", SECTION 507.11 "FREEDOM FROM IMPROPER INFLUENCE", SECTION 507.12 "EX PARTE COMMUNICATIONS PROHIBITED", SECTION 507.13 "DEFINITION OF PERSON" AND SECTION 507.14 "SAVINGS", OF THE OXFORD CODE OF ORDINANCES

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

SECTION I:

Council hereby adopts new Chapter 507, Section 507.01 "Police Civil Citations", Section 507.02 "Police Civil Citation Fine", Section 507.03 "Fire Civil Citations", Section 507.04 "Fire Civil Citation Fine", Section 507.05 "Notice of Police and Fire Civil Offense and Civil Fine; Procedures", Section 507.06 "Answer to Notice of Police or Fire Civil Offense", Section 507.07 "Hearings", Section 507.08 "Default", Section 507.09 "Civil Proceedings", Section 507.10 "Administrative Regulations", Section 507.11 "Freedom From Improper Influence", Section 507.12 "Ex Parte Communications Prohibited", Section 507.13 "Definition of Person" and Section 507.14 "Savings", of the Oxford Code of Ordinances to read as follows:

Chapter 507. POLICE AND FIRE CIVIL CITATIONS

SECTION 507.01 POLICE CIVIL CITATIONS

(a) A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fine specified in Section 507.02.

*	311.03	Toy Vehicles on Streets
*	311.04	Use of Streets for Amusement, Play or Sports
*	313.05	Pedestrian Control Signal
*	331.12C	U-turns Restricted
*	331.42A&B	Littering from Motor Vehicle
*	331.43A	Wearing Earplugs or Earphones Prohibited
*	335.09A	Display of License Plates
*	335.10	Expired Plates

- * 337 Section Safety and Equipment
- * 339.08C Loads Dropping or Leaking, Removal Required
- Tracking Mud
- * 371.01B Right of Way in Crosswalk (Pedestrian Action Creating Hazard)
- * 371.03A,C,D Crossing Roadway Outside of Crosswalk, Diagonal Crossings at Intersections
- * 373.06A Lights & Reflectors on Bicycles; Brakes
- * 373.07A Riding Bicycles on Right Side of Roadway; Obedience to Traffic Rules; Passing
- * 373.08 Bicycle Riding; Rollerblading and Skateboarding Riding Regulations
- * 373.11A Paths Exclusively for Bicycles
- * 505.01A-D Dogs and Other Animals Running at Large
- * 505.03 Annual Registration of Dogs
- * 505.09A Barking or Howling Dogs
- * 505.15A1,2,3 Dog Nuisances
- * 521.01 Abandoned Refrigerators and Airtight Containers
- * 521.08A,B Littering or Allowing Litter to Remain on Property
- * **521.12A Outdoor Furniture Restriction**
- * 729.03 Door to Door Solicitation Prohibited
- * 1151.04 Signs on Public Property
- * 1519.04 Fireworks – Possession, Sale or Discharge Prohibited

(b) A City officer or employee of the Oxford Police Department or Public Safety Assistant charged with the enforcement of the Oxford Codified Ordinances may as authorized issue a civil citation, a uniformed traffic citation or a misdemeanor citation for a violation of any section listed in this Section, depending on the type of offense and the totality of the circumstances.

SECTION 507.02 POLICE CIVIL CITATION FINE.

The civil fine for the civil offenses listed in Section 507.01 are:

<u>Initial Civil Fine</u>	<u>If Delinquent</u>	<u>If Sent for Collection</u>
(\$60)	(\$120)	(\$180)

Neither the City of Oxford, the State of Ohio, the United States Government, nor any city, federal or state agency or political subdivision is liable for a civil fine imposed pursuant to this Chapter.

SECTION 507.03 FIRE CIVIL CITATIONS

(a) A person who violates a standard of conduct set forth in a section or chapter of the Ohio Fire Code listed below is liable for the civil fine specified in Section 507.04.

- * 107.6 Overcrowding
- * 110 Unsafe Buildings

- * 901.8 Removal of or tampering with equipment
- * 1028.2 Reliability of required exits
- * Rule 33 Explosives and fireworks

(b) A City officer or employee of the Oxford Fire Department charged with the enforcement of the Oxford Codified Ordinances may as authorized issue a civil citation or a misdemeanor citation for a violation of any section listed in this Section.

SECTION 507.04 FIRE CIVIL CITATION FINE.

The civil fine for the civil offenses listed in Section 507.03 are:

<u>Initial Civil Fine</u>	<u>If Delinquent</u>	<u>If Sent for Collection</u>
(\$500)	(\$1000)	(\$1250)

Neither the City of Oxford, the State of Ohio, the United States Government, nor any city, federal or state agency or political subdivision is liable for a civil fine imposed pursuant to this Chapter.

SECTION 507.05 NOTICE OF POLICE AND FIRE CIVIL OFFENSE AND CIVIL FINE; PROCEDURES.

(a) A City officer or employee charged with the enforcement of the Oxford Codified Ordinances may issue a notice of civil offense and civil fine to a person found to have committed a civil offense.

(b) A notice of a civil offense and civil fine must advise the person served:

(1) Unless a written answer is filed or the civil fine paid within 10 days from the date of the notice, fine will double;

(2) That a hearing will be held if requested;

(3) That failure to appear at a requested hearing will be considered an admission of the civil offense;

(4) That all available collection remedies and costs of collection will be pursued in the event the civil fine and delinquent charges are not paid;

(c) A notice of civil citation and civil fine:

(1) Must state the date that the notice is issued;

(2) Must identify the person being charged if known to the issuing officer or employee, or alternatively describe the vehicle, object or property that is the location or object giving rise to the civil citation;

(3) Must indicate the offense charged, the civil fine for the offense and the date, time and location of the offense charges;

(4) Must be signed and attested to by the issuing officer or employee;

(5) If the person charged is present, the issuing officer or employee shall personally serve the person charged with a copy of the notice;

(d) The following shall apply to all residential property to be used as rental property in the City of Oxford:

(1) Rental property owners shall designate an individual to be contacted by the City in the event of civil citation. This may be the property owner or a designated local agent; and,

(2) Rental property owners who desire to designate an agent must record the agent's telephone number and email (if any) with the City. If no agent is designated the rental property owner shall be the designated contact person.

(e) The issuing officer or employee must serve the notice of civil offense and civil fine in one of the following manners:

(1) Notice may be served personally on the offender;

(2) If the notice involves a civil citation which occurred on or immediately adjacent to the real property owned, occupied or controlled by the person being charged, the notice may be constructively served by posting a copy of the notice in a conspicuous location on the real property and by mailing a copy of the notice to said person by First Class U.S. Mail; or

(3) If the notice relates to an offense involving a motor vehicle, the notice may be constructively served by posting a copy of the notice on the motor vehicle

and by mailing a copy of the notice to the person responsible for the offense by First Class U.S. Mail.

SECTION 507.06 ANSWER TO NOTICE OF POLICE OR FIRE CIVIL OFFENSE.

(a) A person served with a notice of a police or fire civil offense may file a request for a hearing. The request may be delivered in person or mailed to the City. A request for a hearing must be filed within ten (10) days from the date of the notice.

SECTION 507.07 HEARINGS.

(a) A person who denies the commission of a police or fire civil offense may request a hearing before a hearing examiner. The request shall be filed with Safety Department's Office of Administrative Hearings, which shall set a date for the hearing and notify the person, in writing, of the date, time and location of the hearing. The hearing will be informal, but all testimony shall be under oath.

(b) All hearings shall be scheduled within ten (10) days and will be held at the next regularly scheduled hearing date not less than 10 days after the date scheduled. Any hearing date may be modified if such modification is requested by the person charged and approved by the hearing examiner. The request can be made at the onset of the hearing, or prior to the hearing by submitting a *Request for Hearing Continuance* to the Safety Department's Office of Administrative Hearings.

(c) The hearing examiner shall enter into the record of the proceedings the notice of the police or fire civil offense and civil fine, the filing of or failure to file an answer, the substance of the answer, a finding of liability, the civil fine due, payments, delinquency and collection charges, and other relevant information.

(d) The hearing examiner shall issue a decision and make findings of fact from the record and conclusions of law in support of the decision at the conclusion of the

hearing. The findings and conclusions shall demonstrate that the decision is consistent with applicable laws, ordinances, regulations and the interest of justice. Any unpaid civil fine is due and must be paid within ten (10) days after the date of the hearing examiner's decision.

SECTION 507.08 DEFAULT

A person who is personally or constructively served with notice of a police or fire civil offense and civil fine and fails to answer within the time provided by this Chapter, or fails to attend a requested hearing, the person is in default, and the civil fine deemed delinquent. The amount due is as specified by this Chapter for the offense charged.

SECTION 507.09 CIVIL PROCEEDINGS.

Whenever an officer charged with the enforcement of the Oxford Codified Ordinances is satisfied that a provision that officer is charged to enforce, or a law in force in the City applicable to the same subject matter, has been violated or is about to be violated, or that an order or direction made in pursuance of the enforcement of this Chapter has not been complied with, or is being disregarded, and whenever that officer is satisfied that civil proceedings are necessary for the enforcement of the Oxford Codified Ordinances or laws, to restrain violations thereof, that officer may apply to the Law Director, who is authorized to institute civil proceedings. Civil proceedings may be brought in the name of the City, and may include, among other things, claims for injunction, mandatory relief, restraining orders, damages, the appointment of a receiver, and such other relief as may be allowed in law or equity. Institution of civil proceedings does not exclude criminal proceedings as authorized by the Oxford Codified Ordinances or charging a person with a civil offense as authorized by this Chapter.

SECTION 507.10 ADMINISTRATIVE REGULATIONS.

The City Manager may adopt administrative regulations for the conduct of hearings and for the enforcement of the Oxford Codified Ordinances through the issuance of notices of civil offenses.

SECTION 507.11 FREEDOM FROM IMPROPER INFLUENCE.

- (a) No member of Council, member of the City administration, party to any

proceedings before a hearing examiner, or any other person shall interfere with, attempt to interfere with, or improperly influence or attempt to improperly influence a hearing examiner in the performance of the duties of office.

(b) An examiner may not conduct or participate in any hearing or decision in which the examiner or any of the following persons has a direct or substantial financial interest: a spouse, brother, sister, child, parent, or in-law of the examiner, or business firm or organization in which the examiner has a substantial interest. The examiner shall promptly report to the City Manager any attempt at interference or improper influence or any actual or potential conflict prior to such hearing.

(c) Wherever it may be shown to the satisfaction of the city manager that an examiner was subjected to improper influence, interference or interest, such improper influence, interference or interest shall be grounds for vacating any decision made by the examiner in such proceedings.

SECTION 507.12 EX PARTE COMMUNICATIONS PROHIBITED.

A person may not communicate with a hearing examiner to influence a decision in a matter pending before an examiner other than at a public hearing or in a writing that is made part of the record of the proceeding. This provision shall not prohibit communication between an examiner and any member of the administration assigned to assist or give legal counsel to the examiner in the pending proceeding.

SECTION 507.13 DEFINITION OF PERSON.

“Person” includes an individual, entity, corporation, business trust, estate, trust, partnership, and association.

SECTION 507.14 SAVINGS.

This Chapter does not affect any act done or committed in violation of any former ordinance relating to the same subject, or any suit or proceeding now pending in court for the violation of the provisions of any former ordinance, or any cause or causes of action accrued or existing under such ordinance, but all proceedings or prosecutions now

pending shall be conducted to final determination irrespective of this Chapter.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Police
Originating Department

Council Meeting Of: December 1, 2009

Account Code No. #: N/A

Steve Schwein
Prepared By

Budgeted Amount: N/A

November 23, 2009
Date Prepared

Agenda Title: An Ordinance adopting new chapter 507 . . . and An Ordinance repealing Oxford Code of Ordinances Sections 503.98 and Adopting new Oxford Code of Ordinances Sections 503.02 . . .

Recommendation: Pass the Ordinances.

Discussion: Chapters 507 and 503 are companion ordinances, both of which are in need of a re-write. The Police and Fire Civil Citations Chapters re-write was necessary as operationally, the ordinance was not functional for police, fire, and planning combined. One of the major issues was the issuance of a warning requirement. This revision provides another vehicle for enforcement of specific sections of the Oxford Code that do not necessarily justify a citation to Court being issued. Individuals may appeal their citation by filing a Request for Hearing.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

SDS 11/23/09

[Signature] 11/25/09

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODE OF ORDINANCES SECTIONS 503.02 AND 503.98 AND ADOPTING NEW OXFORD CODE OF ORDINANCES SECTIONS 503.02 AND 503.98; TITLED "CLASSIFICATION OF CIVIL OFFENSES" AND "CIVIL FINES".

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

SECTION I: Council hereby repeals Sections 503.02 and 503.98 entitled "Classification of Civil Offenses" and "Civil Fines" and new Sections 503.02 and 503.98 entitled "Classification of Civil Offenses" and "Civil Fines" is hereby adopted as follows: (language to be repealed is stricken through and language to be adopted is in bold):

503.02 CLASSIFICATION OF CIVIL OFFENSES

All civil offenses shall fall into one of the following classifications.

- (a) ~~Class A(1) and A(2) Civil Offenses.~~ A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fine specified in Section 503.98 for a Class A(1) or A(2) Civil Offense. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the first violation of a Class B Civil Offense.

(Civil Fines for subsequent offenses)

~~(1) — Class A(1) General Offenses~~

- * 521.11 Snow and ice removal **(Class B)**
- * 931.02 Container requirements **(Class B)**
- * 931.03 Placement and maintenance of containers **(Class B)**
- * 931.04 Individual disposal prohibited **(Class B)**
- * 931.08 Scavenging **on private premises (Class B)**
- * 931.09 Burning **(Class B)**
- * 931.10 Depositing solid waste or recyclable materials in public or private receptacle **(Class B)**

~~(2) — Class A(2) Moving, Non-Moving and Miscellaneous Offenses~~

- * 311.03 ~~Toy Vehicles on Streets~~
- * 311.04 ~~Use of Streets for Amusement, Play or Sports~~
- * 313.05 ~~Pedestrian Control Signal~~
- * 331.02C ~~U-turns Restricted~~
- * 331.42A&B ~~Littering from Motor Vehicle~~
- * 335.09A ~~Display of License Plates~~
- * 337 Section ~~Safety and Equipment~~

- * ~~339.08C~~ ~~Loads Dropping or Leaking, Removal Required, Tracking~~
~~Mud~~
- * ~~371.01B~~ ~~Right of Way in Crosswalk, (person suddenly leaves sidewalk~~
~~into roadway)~~
- * ~~505.01A D~~ ~~Dogs and Other Animals Running at Large~~
- * ~~505.03~~ ~~Annual Registration of Dogs~~
- * ~~505.09A~~ ~~Barking or Howling Dogs~~
- * ~~505.15A1,2,3~~ ~~Dog Nuisances~~
- * ~~521.12A~~ ~~Outdoor Furniture~~
- * ~~729.03~~ ~~Door to Door Solicitation Prohibited~~
- * ~~1151.04~~ ~~Signs on Public Property~~

(b) Class B Civil Offenses. A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class B Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for the violation of a Class C Civil Offense provided below, ~~unless otherwise noted~~, which fine is not subject to reduction for correction of the violation.

(1) Class B Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * 521.07 Fences/electric fences (~~subsequent offense~~ - Class B)
- * 935.10 Pruning for public safety (**Class C**)
- * 935.20 Notice to cut, destroy or remove noxious vegetation (**Class C**)
- * Chapter 1151 Signs (**Class C**)
- * Chapter 1305 International property maintenance Code (**Class C**)
- * Chapter 1327 Flood protection (**Class C**)

(2) Class B Civil Offenses with Civil Fines not Subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

(Civil Fines for subsequent offenses)

- * 521.02 Venting, heating and burning (**Class C**)
- * 521.03 Barriers and warning lights (**Class C**)
- * 521.04 Sidewalk Obstructions (**Class C**)
- * 521.05 Notice to fill lots and remove putrid substances (**Class C**)
- * 521.08 **C,D,E** Removal of litter on property and watercourse obstruction (**Class C**)
- * 905.08 Sidewalk in repair and free from nuisances (**Class C**)

- (c) Class C Civil Offenses. A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class C Civil Offense. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for ~~the violation of a Class D Civil Offense~~ **the offense provided below**, which fine is not subject to reduction for correction of the violation.

- (1) Class C Civil Offenses With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * 1307.01 Demolition of Buildings – General **(Class D)**
- * 1307.02 Demolition of Buildings - Permit **(Class D)**

- (2) Class C Civil Offenses with Civil Fines not subject to Seventy-Five Percent (75%) Reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- ~~* 521.01 Abandoned refrigerators and Airtight containers~~
- * 521.06 Sidewalks: Clean and in repair **(Class D)**
- * 521.09 Noxious Odor **(Class D)**

- (d) Class D Civil Offenses. A person who violates a standard of conduct set forth in a section or chapter of the Oxford Codified Ordinances listed below is liable for the civil fines specified in Section 503.98 for a Class D Civil Offense, **except as provided in Chapter 507 of the Oxford Codified Ordinances**. If the provision is listed under paragraph (1) below, the otherwise applicable civil fine is reduced by seventy-five percent (75%) if the person charged shows in accordance with Section 503.04 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Oxford Codified Ordinances within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in Section 503.98 for ~~the violation of a Class D Civil Offense~~ **for the offense provided below**, which fine is not subject to reduction for correction of the violation.

- (1) Class D Civil Offense s With Civil Fines subject to Seventy-Five Percent (75%) reduction for Correction of Violation:

(Civil fines for subsequent offenses)

- * Chapter 1129 Administration [**Zoning (Class D)**]
- * Chapter 1141 Accessory, Temporary, Supplemental and Environmental Regulations **(Class D)**
- * Chapter 1143 Districts **(Class D)**
- * Chapter 1147 Conditional Use **(Class D)**
- * Chapter 1149 Vehicle Management **(Class D)**

- * Chapter 1301 Building Code (**Class D**)
- * Chapter 1303 Residential Code of Ohio (**Class D**)
- * Chapter 1331 Historic preservation (**Class D**)
- * Chapter 1501 Ohio Fire Code (**Class D**), (except as provided for in Chapter 507 of the Oxford Codified Ordinances)
- * Chapter 1151 Open Burning (**Class D**)
- * ~~Chapter 1519 Fireworks~~

SECTION 503.98 CIVIL FINES.

The civil fines for civil offenses are:

<u>Offense</u>	<u>Initial Civil Fine</u>	<u>If Delinquent</u>	<u>If Sent for Collection</u>
Class A(1)	(\$34)	(\$68)	(\$100)
Class A(2)	(\$60)	(\$80)	(\$100)
Class B	(\$86)	(\$172)	(\$250)
Class C	(\$150)	(\$300)	(\$500)
Class D	(\$500)	(\$1000)	(\$1250)

Neither the City of Oxford, the State of Ohio, the United States Government, nor any city, federal or state agency or political subdivision is liable for a civil fine imposed pursuant to this Chapter.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER
PREPARED BY: LAW (STAFF)