

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 20, 2016

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

December 14, 2016
Date Prepared

HAPC MEETING REPORT – December 7, 2016

New Business*

HAPC-2016-18 114 W. Walnut Street demolition and construction of a new mixed use structure, **Scott Webb, Applicant, Agent**

This case had been previously reviewed as a pre-application at the November meeting. The property is located between the former Lane Library and Mesler Auto. The proposal is to demolish the existing two story frame house and replace it with a four story brick mixed use building. The existing house is in the Uptown historic district but does not have the architectural details consistent with other houses of the same era in the district. The proposed building is a French mansard style apartment building with commercial tenant space on the ground floor. The applicant presented information about the disparity between the size building and allowed uses of the zoning code contrasted with the goals of preservation that often mean much smaller buildings and lower intensity uses. The HAPC agreed that this presented a difficult situation. Using the five decision conditions for removal of buildings the HAPC found that three were met and voted 5-0 to approve the proposal as submitted, with conditions. One of the conditions included adding knee walls to the storefront windows.

HAPC-2016-19 104 W. High Street, Pre-Application, demolition and construction of a new mixed structure, **Scott Webb, Applicant, Agent**

The pre-application concept is to demolish what is currently known as the Phan Shin building and replace it with a three story, two part façade stepping back to four story, all mixed use/apartment use. The building would be connected to what is currently a vacant parking lot along the alley. The front façade would contain some architectural details reflective of other High St buildings. The rear four story building facade would be differentiated by balconies and accessory parking. The HAPC was generally supportive of the design concept however the complete application may contain additional details and discussion.

Old Business

An update of 117 W. High, The Den façade, was given. Staff previously met with two members of HAPC in November to look at the façade in detail. Staff has not yet met with the business owner to work out a plan of action.

Announcements

Planning representative McCarthy invited HAPC members to attend the Planning Work Session at 5:30 on December 13 to hear the Zoning Study discussion that may or may not impact historic properties redevelopment, much of which is outside a historic district.

The next HAPC meeting will take place January 4, 2017.

Department Head:

City Attorney:

City Manager:

JHC / *12/14/16*
DRE / *12/16/16*

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: December 20, 2016

Candi Turpin

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 15, 2016

Date Prepared

Agenda Title:

Resolution approving the wage reopener as part of the current contract between the City of Oxford and the Oxford Non-Commissioned Police Division Employees and authorizing the City Manager and City Law Director to sign the contract on behalf of the City.

Recommendation: Approval.

Discussion:

The City of Oxford and the Oxford Non-Commissioned Police Division Employees currently have a contract dated January 1, 2016 to December 31, 2018. Part of the current contract with the Oxford Non-Commissioned Police Division Employees contains a wage reopener for the calendar years 2017 and 2018.

Negotiations are complete and approval of this Resolution will authorize the City Manager and the City Law Director to sign the recommended wage reopener, the term of which is two years.

Approved By:

Initial Date

Department Head:

City Manager:

CT 12/15/16
DRE 12/16/16

RESOLUTION NO.

A RESOLUTION ADDRESSING THE WAGE REOPENER AS PART OF THE CURRENT CONTRACT BETWEEN THE CITY OF OXFORD, OHIO AND THE OXFORD NON-COMMISSIONED POLICE DIVISION EMPLOYEES AND AUTHORIZING THE CITY MANAGER AND THE CITY LAW DIRECTOR TO SIGN THE SIDE LETTER REGARDING THE WAGE REOPENER ON BEHALF OF THE CITY.

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

SECTION 1: The City Manager and the Police Chief recommend Council authorize the City Manager and the City Law Director to sign on behalf of the City, the Side Letter referred to as Exhibit "A" ("Side Letter") with the Oxford Non-Commissioned Police Division Employees. The term of the Side Letter shall be for two (2) years beginning January 1, 2017 through December 31, 2018.

SECTION 2: Council hereby accepts the recommendation of the City Manager and the Police Chief and authorizes the City Manager and the City Law Director to sign on behalf of the City, the Side Letter referred to as Exhibit "A" ("Side Letter") with the Oxford Non-Commissioned Police Division Employees regarding the wage reopener.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance

Originating Department

Council Meeting Of : 12/6/2016

Joe Newlin

Account Code No. : see below

Prepared By

Budgeted Amount : _____

12/15/2016
Date Prepared

Agenda Title:	2016 Supplemental Budget #11
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Recommendation:	Approve
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Issue 1

To make adjustment to amended budget for Miami donation for Uptown Ice Rink and related expenses.

Action Needed:

Revenue Side

General Fund (110)	4,600.00	Miami Donation
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Expense Side

General Fund (110)	4,600.00	Appropriation from unencumbered balance for ice rink
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Net Effect on Fund Balance/(s) Increase/(Decrease)	-	
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Issue 2

To make adjustment to amended budget for Building Permit revenue and associated expenditure to NIC.

Action Needed:

Revenue Side

General Fund (110)	60,000.00	Building Permit Revenue
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Expense Side

General Fund (110)	54,000.00	Appropriation from unencumbered balance for NIC expenses (90% of revenue)
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Net Effect on Fund Balance/(s) Increase/(Decrease)	6,000.00	
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Issue 3

To make adjustment to amended budget for projected increase in Income Tax Receipts and related expenses.

Action Needed:

Revenue Side

		<u>Prior</u>	<u>Delta</u>
General Fund (110)	30,272.64	Income Tax Receipts	159,886.00 (129,613.36)
Fire & EMS Fund (418)	10,399.71	Income Tax Receipts	22,468.00 (12,068.29)

Expense Side

General Fund (110)	(820.07)	Retainage to RITA	4,796.00	(5,616.07)
General Fund (110)	9,558.75	Refunds RITA	7,155.00	2,403.75
Fire & EMS Fund (418)	-	Retainage to RITA	674.00	(674.00)
Fire & EMS Fund (418)	-	Refunds RITA	225.00	(225.00)

Net Effect on Fund Balance/(s) Increase/(Decrease)	31,933.67	
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Issue 4

To make adjustment to amended budget for projected increase in personnel cost and reduction of Butler County Sheriff Contract.
Originally decreased personnel cost \$336,000 and increased Butler County Sheriff Contract.

Action Needed:

Revenue Side

- NA

Expense Side

General Fund (110)	56,000.00	Appropriation from unencumbered balance for personnel cost
General Fund (110)	(56,000.00)	Decrease in Butler County Sheriff Contract

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

-

Issue 5

To make adjustment to amended budget for projected increase in payment to OVB.

To make adjustment to amended budget for projected increase in payment to OVB & transfer to General Fund.

Action Needed:

Revenue Side

General Fund (110)	5,000.00
Hotel Tax Agency Fund (120)	5,000.00
General Fund (110)	300.00

Expense Side

Hotel Tax Agency Fund (120)	23,500.00	Appropriation from unencumbered balance for payment to OVB
Hotel Tax Agency Fund (120)	4,700.00	
Hotel Tax Agency Fund (120)	300.00	

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

(18,200.00)

Issue 6

To make adjustment to amended budget for health care reimbursements and associated expenditures over the \$75,000 budgeted amount and other related medical expenses

Action Needed:

Revenue Side

Employee Benefits (230)	200,000.00	Reimbursements from carrier
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Expense Side

Employee Benefits (230)	200,000.00	Appropriation from unencumbered balance for medical expenses
Employee Benefits (230)	50,000.00	Appropriation from unencumbered balance for medical expenses

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

(50,000.00)

Issue 7

To make adjustment to amended budget for unbudgeted resignation and allocation error in Finance and overtime usage in Fire & EMS Fund
Law Department Litigation expenses

Action Needed:

Revenue Side

Expense Side

General Fund (110)	5,000.00	Appropriation from unencumbered balance for litigation services
Water Fund (321)	5,200.00	Appropriation from unencumbered balance for personnel cost
Wastewater Fund (331)	5,200.00	Appropriation from unencumbered balance for personnel cost
Refuse Fund (341)	6,850.00	Appropriation from unencumbered balance for personnel cost
Fire & EMS Fund (418)	5,000.00	Appropriation from unencumbered balance for overtime expenses

Net Effect on Fund Balance/(s)	(27,250.00)
Increase/(Decrease)	

Total Net Effect on Fund Balance/(s)	(57,516.33)
Increase/(Decrease)	

Breakdown by Fund

General Fund (110)	27,833.96
Hotel Tax Agency Fund (120)	(23,500.00)
Employee Benefits (230)	(50,000.00)
Water Fund (321)	(5,200.00)
Wastewater Fund (331)	(5,200.00)
Refuse Fund (341)	(6,850.00)
Fire & EMS Fund (418)	5,399.71

Net Effect on Fund Balance/(s)	(57,516.33)
Increase/(Decrease)	

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] 12/15/16
DRE 12/16/16

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3335. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 11 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2016.

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

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

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

General Fund 110	4,600.00
General Fund 110	60,000.00
General Fund 110	30,272.64
Fire & EMS Fund 418	10,399.71
General Fund 110	5,000.00
Hotel Tax Agency Fund	5,000.00
Employee Benefits Fund 230	200,000.00

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

General Fund 110	4,600.00
General Fund 110	54,000.00
General Fund 110	(820.07)
General Fund 110	9,558.75
General Fund 110	56,000.00
General Fund 110	(56,000.00)
Hotel Tax Agency Fund	23,500.00
Hotel Tax Agency Fund	4,700.00
Hotel Tax Agency Fund	300.00
Employee Benefits Fund 230	200,000.00
Employee Benefits Fund 230	50,000.00
General Fund 110	5,000.00
Water Fund 321	5,200.00
Wastewater Fund 331	5,200.00
Refuse Fund 341	6,850.00
Fire & EMS Fund 418	5,000.00

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

Transfer from:	
Hotel Tax Agency Fund 120	300.00

Transfer to:	
General Fund 110	300.00

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

General Fund 110	300.00
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SECTION 6: In all other respects, Ordinance No. 3335 shall remain in full force and effect.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott, Jr.

Fire

Originating Department

Council Meeting Of: December 20, 2016

Account Code No. #: N/A

John Detherage

Prepared By

Budgeted Amount: N/A

December 13, 2016

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to apply for the 2017 Local Government Safety Capital Grant Program

Recommendation: Adopt the Resolution.

Discussion: Recently the 131st Ohio General Assembly created the Local Government Safety Capital Grant Program. This program is to enhance public safety and encourage collaboration between public entities. Our relationship with Oxford Township and Miami University along with the changes in the Fire Department in the recent past puts us in a unique position to take advantage of this grant opportunity.

The change from a volunteer service model to a staffed model has created a need to move away from our older single use apparatus to a program of combining the function of two or three trucks into one multi use vehicle. This will allow more efficiency with a smaller staff. The proposal for this grant is to remove from service the Oxford Twp. owned tanker truck and the second line fire engine owned by the City. We would purchase one vehicle (Engine/Tanker) to be capable of both or either tasks. The proposed vehicle would carry a large amount of water (tanker function) and also all of the hose and firefighting tools (engine function) that are currently on the two separate vehicles. Ownership of the vehicle would fall upon the City. This project has been discussed with the Oxford Twp. Trustees and David Creamer of Miami University and they have agreed to move forward.

This is a perfect time to address this need as the tanker is 27 years old and the engine is 22 years old and both are in need of replacement due to age.

The estimated cost of this project is \$540,000.00. Funding will come from the grant in the amount of \$200,000.00 (maximum grant amount with 2 applicants as MU is not eligible) with a match that will be split equally between the City, Miami University and Oxford Township in the amount of \$340,000.00 (\$113,334.00 each). A match is not required for this grant but the application states that the scoring matrix will include consideration of a "greater cash match" from the local entity.

Approved By:

Department Head:
City Manager:

Initial Date

DRB 12/16/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2017 LOCAL GOVERNMENT SAFETY CAPITAL GRANT PROGRAM.

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

SECTION I: The City Manager reports that the City Fire Division may apply for funding from the Local Government Safety Capital Grant Program to enable the Fire Division to purchase an engine/tanker combination truck to replace the existing 1995 engine and the 1990 tanker owned by Oxford Township that are at or near the end of their useful life. To cover part of the cost of said equipment, the City Manager will apply for a grant totaling \$200,000.00.

SECTION II: Due to the funding limits of the grant program, the City, Oxford Township and Miami University will evenly split the remaining cost of the vehicle, in the amount of \$113,334.00 each, for a total local portion of \$340,000.00. Total cost of the project will not exceed \$540,000.00.

SECTION III: Council hereby authorizes the City Manager to apply on behalf of the City Fire Division for a grant, in the amount of \$200,000.00 from the Local Government Safety Capital Grant Program. Further, the City Manager is authorized to take all actions necessary to receive said grant funds if awarded.

SECTION IV: Council authorizes a \$113,334.00 match as the City's portion of the remaining funds to be paid from the Fire Budget.

SECTION V: This resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, December 6, 2016 at 7:15 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, City Planner; Mr. Alan Kyger, Economic Development Director; Mr. John Jones, Police Chief; Mr. John Detherage, Fire Chief; Mr. Casey Wooddell, Parks and Recreation Director; Victor Popescu, City Engineer; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (1) for the purpose of discussing appointments to Boards and Commissions. Mr. Blackburn seconded. The motion passed by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Ms. Southard moved to adjourn from Executive Session at 7:30 p.m. Mr. Dana seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **CIVIL RIGHTS**

Mayor Rousmaniere noted this Proclamation was the result of much discussion by different community groups who in the past few weeks felt a need to show a renewed commitment to civil rights, civility and mutual respect. Mayor Rousmaniere advised those conversations held much emotion, great amounts of moral integrity, empathy and intellectual commitment to representing and supporting the Oxford community. Mayor Rousmaniere noted Proclamations were symbolic but not trivial.

Mayor Rousmaniere advised the groups who supported the Proclamation included the Oxford Unit NAACP, the Oxford Chapter of PFLAG, the Oxford Community Relations Commission, the Interfaith Center and the Oxford Friends. Mayor Rousmaniere read the Proclamation as follows:

‘ Whereas: residents of the City of Oxford are or are descended from immigrants or Native Americans; and

Whereas, the City of Oxford’s Civil Rights Code (Chapter 143) prohibits discrimination in employment, housing, and public accommodations on the basis of age, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, pregnancy, height, weight, or veteran status; and

Whereas, the 2008 Oxford Comprehensive Plan stated an objective to “promote cultural diversity”; and

Whereas, the mission and goals of Miami University strive “to cultivate an environment where diversity and difference are appreciated and respected”; and

Whereas, we live in a moment when many citizens are reflecting on safety, stability, and inclusivity of our communities.

Now therefore, I Kate Rousmaniere, Mayor of the City of Oxford, on behalf of the Council of the City of Oxford, Ohio, hereby proclaim and wish to affirm:

- 1) The necessity for civility and mutual respect among all members of our community;
- 2) The value of our diversity and our faith that pluralism makes us stronger;
- 3) Our intolerance of bullying and marginalization, particularly towards those under-represented and vulnerable individuals and groups among us;
- 4) Our commitment to uphold and enforce the City of Oxford’s Civil Rights Code;
- 5) Our renewed commitment to the broader work of the City of Oxford to promote the peace, health, and safety of *all* of our people.’

Mayor Rousmaniere thanked all of those who contributed to the Proclamation.

PRESENTATION
FARMER’S MARKET
LARRY SLOCUM

Mr. Slocum performed a song with participation from Council, staff and the audience promoting the Oxford Farmer’s Market and presented a check to Finance Director, Joe Newlin, for the use of the City’s Lot 52 for the market.

PRESENTATION
ENVIRONMENTAL DESIGN GROUP

Ms. Michelle Johnson, provided a detailed PowerPoint presentation depicting an update to the route alignment options for Phase II of the Oxford Recreational Trail and the associated cost opinions.

Mayor Rousmaniere thanked Ms. Johnson and also Jessica Greene, David Prytherch and Sam Perry for all of their contributions to the Oxford Area Trail project.

**COUNCIL ONE YEAR
APPOINTMENTS TO
BOARDS AND COMMISSIONS**

Mayor Rousmaniere advised the Council appointments to Boards and Commissions would be effective December 1, 2016 through December 1, 2017.

Mr. Dana moved to appoint himself and Ms. Southard to the Planning Commission, Ms. Southard to the Recreation Board, Mr. Smith to the Historic and Architectural Preservation Commission, Mr. Ellerbe and Mr. McKeehan to the Community Improvement Corporation, Mr. Blackburn to the Student Community Relations Commission, Mayor Rousmaniere to the Environmental Commission, Mr. Ellerbe and Mr. McKeehan to the Housing Advisory Commission, Mr. Smith and Mr. McKeehan to the Firefighters Dependents Board, Mr. Blackburn and Mayor Rousmaniere to the Woodside Cemetery Board, himself as the OKI Representative, Mr. Blackburn to the Senior Citizens Board of Trustees, himself to the Butler County Land Use Coordinating Committee, Mr. Blackburn to the Visitors Bureau Board and Ms. Southard to the Oxford Parking and Transportation Advisory Board. Mr. Blackburn seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Karen Powell, 6130 Brown Road, spoke about an initiative she would like to see happen in the community for people from all walks of life to get together and sing songs of harmony, peace, love and brotherhood. Ms. Powell noted she was going to contact local churches and schools to discuss her idea noting a venue would be needed as well as musicians and printed lyrics. Ms. Powell advised she felt the initiative was appropriate due to the conflicts taking place around the country at colleges and other public places. Ms. Powell noted she would like to schedule a singing event around MLK Day and Presidents Day.

Mayor Rousmaniere thanked Ms. Powell and asked her to stay in touch with Council regarding her idea.

Mr. David Brown, Butler County Auditor's Office, noted he was in attendance as part of Butler County Auditor, Roger Reynolds, outreach to local governments program. Mr. Brown updated Council and the public with regard to the gas pump 'skimmer' issue and noted after 27 inspections none were found in Butler County. Mr. Brown advised the Auditor's Office would continue to monitor gas pumps throughout the county. Mr. Brown noted it was dog tag renewal season and dog tags could be purchased through the Auditor's Office, at the City of Oxford Municipal Building and at the Oxford Veterinary Hospital at 5131 Morning Sun Road.

Mayor Rousmaniere thanked Mr. Brown for his report.

Mr. Pat Meade, advised he was a member of the Community Relations Commission and thanked Mayor Rousmaniere for the Proclamation and for taking a stand with other people to make Oxford the place Oxford should be. Mr. Meade noted a lot of people in attendance this evening were here in support of the Proclamation and there was a lot of work to be done. Mr. Meade advised the Community Relations Commission dealt with issues of discrimination in housing, employment and public accommodations.

Mr. Meade noted there were issues of general harassment and incidents that don't rise to the level of someone discriminating against someone which we as a community need to deal with. Mr. Meade advised he was also a member of the Police Community Relations and Review Commission and he knew the Oxford Police Division was serious about making everyone in Oxford feel welcome and safe. Mr. Meade thanked Mayor Rousmaniere again for reading the Proclamation and thanked everyone who came to the Council meeting in support of the Proclamation of our standing together and not marginalizing anyone.

Mayor Rousmaniere noted the people who wrote and endorsed the Proclamation were the Oxford Unit of the NAACP, Oxford PFLAG, the Community Relations Commission, the Interfaith Center and Oxford Friends. Mayor Rousmaniere advised Ms. Spivey of the Talawanda School District wrote her own statement supporting active collaboration in the school district and the President at Miami University wrote one as well.

Mr. David Prytherch, 6195 Contreras Road, thanked Council for investing the money for the Environmental Design Group's study noting it was a small down payment in making a dream that many people have had for a long time a reality.

CONSENT AGENDA

Mr. Dana requested removal of item C. – Planning Commission Report.

MINUTES

Minutes of the November 15, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the November 2, 2016 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 16, 2016 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 17, 2016 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the November 30, 2016 Civil Service Commission Meeting. (Candi Turpin, Human Resources Director)

RESOLUTIONS

RESOLUTION **PROPERTY TAXES**

A Resolution No. 5026 authorizing the City Manager to request advanced payment of property taxes to the City in 2017 from Butler County. (Joe Newlin, Finance Director)

RESOLUTION
FARMER'S MARKET

A Resolution No. 5027 authorizing the City Manger to close Lot 52 each Saturday in 2017 from 5:00 a.m. to 12:30 p.m. to permit the operation of the Farmer's Market within Lot 52 during said time. (Doug Elliott, City Manager)

Mr. McKeehan moved to approve the Consent Agenda except for item C. (Planning Commission Report). Mr. Dana seconded. The motion passed 7-0-0.

REPORT

Report regarding the November 8, 2016 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Mr. Dana referred to page 23 of Council's packet and encouraged members of the public to follow the Planning Commission's recommendations for how to handle Short Term Rentals. Mr. Dana advised the issue of Short Term Rentals and how they would be handled was consequential when it came to the nature of our neighborhoods.

Mr. Dana moved to approve the Planning Commission report. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
OPPOSING AT&T INITIATIVE

A Resolution No. 5028 of Oxford City Council opposing AT&T's efforts to pursue legislation in the Ohio House and Senate eliminating local control for Ohio municipalities with regard to small cell and accessory equipment pole attachments. (Steve Dana, Councilor)

Mr. Dana advised AT&T proposed legislation that he felt was an assault on Municipal Home Rule. Mr. Dana noted the proposed legislation would eliminate local control for Ohio municipalities with respect to their rates, zoning and maintenance efforts regarding pole attachments of small cell wireless antennas and equipment. Mr. Dana advised the proposal was broad and gave wireless internet companies and speculators unrestricted access to municipal infrastructure and all municipal structures capable of supporting wireless antennas. Mr. Dana noted this matter raised security concerns and could lead to multiple companies placing multiple poles within the public right-of-way. Mr. Dana advised no formal legislation had been introduced, no legislative hearings had taken place and no wide-spread stakeholder meetings had been held. Mr. Dana noted it appeared AT&T was intent on the proposed legislation passing in the lame duck session. Mr. Dana advised he felt this matter was troubling and something citizens should be aware of.

Mr. Vince Hand, 511 E. Chestnut Street, advised over the last 10 years there had been attempts by industries and others to weaken home rule and local control particularly over locally unwanted land uses. Mr. Hand encouraged Council to approve the proposed Resolution.

Mr. Elliott advised with no broad public hearings the way the General Assembly was handling this matter was concerning. Mr. Elliott noted a couple of months ago Council adopted legislation which encouraged the location of small cells and other equipment in the public right-of-way through an informal administrative process. Mr. Elliott advised he felt state-wide blanket legislation was unnecessary and unwarranted.

Ms. Southard thanked Councilor Dana for being vigilant in bringing the proposed Resolution forward.

Mr. Ellerbe thanked Mr. Dana for bringing the proposed legislation forward. Mr. Ellerbe asked anyone who heard of any threats to home rule to bring it to his attention. Mr. Ellerbe noted it seemed counter-productive to have home rule and have entities trying to chip away at it for individual gain.

Mr. Dana moved to adopt Resolution No. 5028. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
MILFORD TOWNSHIP

A Resolution No. 5029 authorizing the City Manager to enter into a new agreement with Milford Township, Butler County, Ohio and authorizing the City of Oxford to provide Emergency Medical Services to the western portion of Milford Township pursuant to the agreement. (Doug Elliott, City Manager)

Mr. Elliott advised the present agreement for EMS services in the western portion of Milford Township would expire at the end of this year. Mr. Elliott noted last year the current agreement was extended for one year. Mr. Elliott advised under the current agreement Milford Township was paying \$12,200 and the proposal before Council this evening would authorize the City Manager to sign a new agreement for \$16,200 each year. Mr. Elliott noted he spoke with the Milford Township Trustees and they agreed to the new amount. Mr. Elliott recommended Council's approval of the proposed Resolution.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mayor Rousmaniere noted this was an increase of \$4,000 per year.

Mr. Dana moved to adopt Resolution No. 5029. Mr. McKeehan seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH ELEX, INC.

A Resolution No. 5030 accepting the bid submitted by Elex, Inc. and authorizing the City Manager to enter into a contract with Elex, Inc. for the realignment of Collins Run Road with Main Street and the installation of traffic signalization at the intersection of Main Street and Chestnut Street and at the intersection of Campus Avenue and Chestnut Street at a cost of \$479,561.40 plus a contingency amount of ten percent (10%) of the contract price or \$47,956.14 for a total cost not to exceed \$527,517.54. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the City staff had worked for some time on improvements for traffic flow on Chestnut Street and intended to improve the safety of the off-set intersection of Collins Run Road and Main Street with Chestnut Street. Mr. Dreisbach noted staff developed plans and specifications to alleviate the off-set intersection and Collins Run Road would be reconstructed to align with Main Street. Mr. Dreisbach advised the City Engineer applied for and was successful in obtaining a grant from the Ohio Public Works Commission in the amount of \$331,800 for the project. Mr. Dreisbach noted staff advertised the specifications and plans and had two bidders for the project with Elex, Inc. being the lowest bidder. Mr. Dreisbach advised the agreement with Elex, Inc., Inc. would cover all of the hard construction costs for the realignment and it would include signalization at Main Street and Chestnut Street and at Campus Avenue and Chestnut Street. Mr. Dreisbach noted he felt the improvements would make it much safer for the Butler County bus depot and the Talawanda School District bus depot. Mr. Dreisbach asked for Council's approval to proceed with the proposed project.

Mr. Vince Hand, 511 E. Chestnut Street, applauded the idea of the realignment noting traffic flow was a significant problem. Mr. Hand noted his hope the speed limit would not be raised on Chestnut Street as it was still a residential neighborhood.

Ms. Southard noted she felt the proposed project showed foresight in terms of planning for the future and may help the Amtrak project move forward.

Mayor Rousmaniere inquired if there was any intent to raise the speed limit on Chestnut Street and Mr. Dreisbach advised no.

Mr. Ellerbe inquired how the traffic signals would be timed. Mr. Dreisbach advised the signals would communicate with each other and could be programmed however the City chooses. Mr. Dreisbach noted there would be detection on the side streets and pre-emption technology would allow Police and Fire personnel to control the signals to respond to emergencies quickly. Mr. Dreisbach advised there would be additional street lighting and backlit street signs would be installed.

Mr. Dana moved to adopt Resolution No. 5030. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
BAYER BECKER

A Resolution No. 5031 of Council amending Resolution No. 4918 adopted May 19, 2015 and authorizing additional Professional Services from Bayer Becker for Phase I of the Oxford Recreational Trail at a cost not to exceed two thousand dollars (\$2,000.00) (Jung-Han Chen, Community Development Director)

Mr. Perry referred to his staff report on page 44 of Council's packet and advised the funds requested were for Phase I of the Oxford Recreational Trail. Mr. Perry noted there was not enough money left in the contingency amount to finish the required work.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

Mr. Dana moved to adopt Resolution No. 5031. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
ENVIRONMENTAL DESIGN GROUP

A Resolution No. 5032 of Council amending Resolution No. 5004 adopted August 16, 2016 and authorizing additional Professional Services from Environmental Design Group for Phase II of the Oxford Recreational Trail at a cost not to exceed three thousand dollars (\$3,000.00) (Jung-Han Chen, Community Development Director)

Mr. Perry referred to his staff report on page 49 of Council's packet and noted staff did not ask for contingency funds in the original Resolution. Mr. Perry advised staff recommended an additional \$3,000 be approved in order to receive the optional trail section renderings from Environmental Services Design Group.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

Ms. Southard moved to adopt Resolution No. 5032. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
CHARTER AMENDMENTS

An Ordinance Providing For The Submission To The Electorate Of Amendments To The Charter Of The City Of Oxford, Ohio, And To Place The Same On The Ballot At The General Election, November 7, 2017. (Doug Elliott, City Manager)

Mr. Elliott advised the Oxford City Charter was adopted by the voters in 1960 and it adopted the Council-Manager form of government. Mr. Elliott noted one of the provisions of the Charter (Section 10.05) is for City Council to appoint a Charter Review Commission every 10 years. Mr. Elliott advised earlier this year Council appointed 5 members to the commission including Councilor Dana, Councilor Southard, Steve Snyder, Corey Watt and Richard Keebler. Mr. Elliott noted all members were present this evening except for Mr. Keebler. Mr. Elliott advised the commission was assisted by staff members including himself, Mr. McHugh, Ms. Eaton and Ms. Newton. Mr. Elliott noted the commission met 5 times to discuss, propose and review recommended changes to the Oxford City Charter and thanked them for their thoughtful recommendations. Mr. Elliott advised Council held a Work Session earlier this evening to review the recommendations of the Charter Review Commission and Council had before them an Ordinance with the recommendations included in the Ordinance. Mr. Elliott noted once the Ordinance was approved by Council the Charter Amendments would appear on the ballot at the general election in November. Mr. Elliott highlighted the recommendations as presented on pages 70-88 of Council's packet. Mr. Elliott noted between now and the November 2017 general election he would speak to various service organizations in Oxford regarding the proposed charter amendments.

Mayor Rousmaniere thanked Councilors Dana and Southard, former Mayor Keebler, former Mayor Snyder and Mr. Watt for doing this important work.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1A (Single Family Low Density Residential) District For 19 Parcels Located On Quail Ridge Drive In The City Of Oxford. (Jung-Han Chen, Community Development Director)

Mayor Rousmaniere recused herself from the discussion.

Mr. Perry advised this was the 13th petition to come before Council requesting the establishment of a Neighborhood Conservation Overlay District. Mr. Perry noted this effort was led by Debbie Allison, a resident of Quail Ridge Drive. Mr. Perry advised without the overlay there was the opportunity for a home owner to rent to 4 unrelated persons and with the overlay that was reduced to 2 unrelated persons. Mr. Perry noted the Planning Commission recommended approval of the proposed Ordinance.

Ms. Debbie Allison, 7 Quail Ridge Drive, thanked Council of behalf of her neighbors for the opportunity to petition them to help preserve their neighborhood. Ms. Allison noted special thanked to Sam Perry for his guidance through the rather lengthy process.

Vice Mayor Smith noted Council would consider this request again in two weeks.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 11 To Make Supplemental Appropriations For Fiscal Year 2016. (Joe Newlin, Finance Director)

Mr. Newlin referred to his staff report on pages 112-114 of Council's packet and discussed the budget adjustments that need to be made before year end.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Newlin clarified an issue for Mayor Rousmaniere and another one for Ms. Southard regarding the funds for an iceless skating rink.

ORDINANCE
SECOND READING

GLENWOOD ENERGY
RATES AND CHARGES

An Ordinance No. 3387 To Amend Ordinance No. 3298 Regulating The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending February 28, 2018 By Authorizing Glenwood Energy Of Oxford, Inc. To Implement An Adjustment To The General Service Rate Authorized By Ordinance No. 3298 To Recognize The Impact On Revenues Of A Change In The Heating Value Of The Natural Gas Furnished To Customers Subsequent To The Adoption Of Said Ordinance. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information for this reading of the proposed Ordinance. Mr. Dreisbach noted there was a change in the gas supply coming into the City for Glenwood Energy which had a different heating (BTU) value. Mr. Dreisbach advised the change in rate compensated for the change in BTU associated with the gas.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

Mr. Dana moved to adopt Ordinance No. 3387. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public with regard to the City's Electric Aggregation Program noting subsequent opt-out letters were mailed on Friday. Mr. Elliott advised nothing had changed with the program and this provided an opportunity for folks to participate in the program who were new to the community or had recently signed up for electric service.

Mr. Dreisbach advised as part of the US 27 S. improvement project the City acquired a property with a small house and detached garage. Mr. Dreisbach noted Council authorized staff to sell the property by sealed bid. Mr. Dreisbach advised a couple of open houses had taken place and the deadline to submit a sealed bid was Friday at 11:00 a.m. in the Service Director's office. Mr. Dreisbach noted the property was located at 4134 Millville Oxford Road at the intersection of University Park Blvd.

Mr. Wooddell advised Miami University wanted to be more involved in the Holiday Festival this year to get students to come Uptown and as part of the Town/Gown initiative. Mr. Wooddell noted Miami University covered the full cost of bringing an ice rink to Oxford and the full cost of a large blow up for the event. Mr. Wooddell advised the event went over incredibly well and there was a huge turnout. Mr. Wooddell thanked the Visitors Bureau, Chamber of Commerce, Oxford Community Arts Center and Miami University for partnering with the City.

Mr. McHugh referred to the earlier Resolution regarding small towers in public right-of-ways and encouraged Councilors to individually contact their State Representative. Mr. McHugh advised he felt it was a very intrusive and unreasonable bill and it was market driven.

Mr. McKeehan referred to Mr. Brown's comments earlier about the County Auditor's efforts to avert, detect and get rid of skimmers in gas pumps in Butler County. Mr. McKeehan noted he learned today that one or more groups representing the petroleum industry were successful in pushing back chip readers at fuel pumps until 2020.

Mr. McKeehan noted the Christmas trees were selling quickly Uptown and encouraged those needing one to visit the Lions Club Christmas Tree Lot.

Mr. Dana referred to the pending legislation regarding small cell and accessory equipment and encouraged his fellow Councilors to bond together and speak to the people who are on the point of passing a bill that is intrusive. Mr. Dana noted he found it galling that a decision could be made that affects local government so radically. Mr. Dana advised the proposed legislation singled out cities and did not include infrastructure owned by rural cooperatives, investor owned utilities, townships, counties or the State of Ohio.

Mayor Rousmaniere requested staff to forward Oxford City Council's Resolution opposing AT&T's efforts to pursue legislation in the Ohio House and Senate eliminating local control for Ohio municipalities with regard to small cell and accessory equipment pole attachments to Columbus.

Ms. Southard advised the League of Women Voters was holding an event tomorrow for people to meet local elected officials. Ms. Southard noted the event would take place at the Oxford Community Arts Center from 5-7 p.m.

Mayor Rousmaniere thanked Casey Wooddell and Jessica Greene for their efforts in making 'Light up Oxford' a wonderful community event. Mayor Rousmaniere advised the editor of Ohio Magazine was in attendance and presented a plaque to the City for winning one of the 'Best Home Town' awards last summer. Mayor Rousmaniere displayed the plaque depicting the commemorative magazine cover and caption 'Oxford combines college-town energy with a strong sense of community'.

Mayor Rousmaniere advised Miami University and the City of Oxford were selected to host the Second Annual International Town Gown Association of Ohio conference this summer. Mayor Rousmaniere noted this was a one day conference and it was held in the Columbus area last summer. Mayor Rousmaniere advised it would be a very busy summer in Oxford noting the Buckeye Boys State program would be held here in June with 1,500 attendees.

ADJOURN

Mr. Dana moved to adjourn at 9:28 p.m. Mr. Ellerbe seconded. The motion passed 7-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: December 20, 2016

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

December 9, 2016
Date Prepared

Agenda Title:	Environmental Commission Meeting of December 7, 2016
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, December 7, 2016 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Mayor Kate Rousmaniere, Planning Commission Representative, Mr. Robert Bell; Mr. Kevin Armitage, and Ms. Madeline Maurer. A quorum was present. Commissioner Mr. Andor Kiss had previously notified the Commission that he would be unable to attend the meeting. Oxford residents, Mr. Jonathon Ralinosky and Mr. Chris Pirigyi, were also in attendance.

The minutes from the November 2, 2016 Environmental Commission meeting were unanimously approved as presented.

Commissioner Ms. Maurer and Mr. Pirigyi made a summary presentation to the Commission regarding illicit discharge detection to Oxford's stormwater system. Both Ms. Maurer and Mr. Pirigyi are part of a four-member team of Miami University Institute for the Environment and Sustainability (IES) graduate students. The IES graduate students are conducting an academic year-long Professional Service Project (PSP) on behalf of the City of Oxford and the Environmental Commission. The entire graduate student team had made a formal mid-project, end-of-semester presentation on Tuesday, December 6th at Shideler Hall on campus. The PSP involves performing inspections of stormwater sewer outfalls into local surface waters, and to prepare a procedural manual for these inspections in an effort to identify potential illicit discharges that contaminate the stormwater, and their elimination upon discovery. Since stormwater is discharged directly into surface waters (typically without any type of treatment), identifying and removing sources of illicit contamination is necessary to reduce water pollution. Periodic inspection of stormwater outfalls and elimination of potential illicit discharges into the stormwater system (as identified during these inspections) are part of Oxford's responsibilities under the Ohio Environmental Protection Agency's Stormwater Management Program.

Mr. Bell informed the Commission that the Planning Commission anticipated receiving a consultant's recommendations regarding efforts to encourage higher density housing in the vicinity of Miami University's campus. The Planning Commission also is continuing to work on code language addressing short-term, non-traditional (Airbnb-type) lodging.

The Environmental Commission continued to work on crafting Sensitive Development Areas language for Planned Development code (Oxford Codified Ordinance Chapter 1145.402), and believes the text re-

(Continued)

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>MBD</u>	<u>12/13/16</u>
		<u>DRF</u>	<u>12/16/16</u>

garding all but the urban forest (addressed in Oxford's Codified Ordinance Chapter 935 "Trees, Shrubs and Other Plants") is largely completed. The absence of a tree preservation and/or replacement requirement within Chapter 935 had previously been noted. Commissioners had inserted portions of tree preservation regulations from the cities of Delaware and Springfield, Ohio into a draft of Oxford's Chapter 935. Chair Gwyn had prepared a table of contents as an outline to divvy Chapter 935 into portions addressing street trees (as it does in its current form) and tree preservation and/or replacement for properties undergoing development. Chair Gwyn offered to convert the language in the drafted Chapter to match the format of the proposed table of contents and issue that as a draft for Commissioners review.

Staff updated Commissioners on the 2016 Tree City USA application. Oxford achieved the four standards to qualify for Tree City USA status, with a per capita expenditure of \$4.15 (total qualified urban forestry expenditures were \$88,608). A total of 81 trees were planted and 41 trees removed (predominately Ash trees due to damage by the Emerald Ash Borer). The application was due Friday, December 2nd to the Ohio Department of Natural Resources, Division of Forestry for their review, approval, and subsequent submittal of the application to the Arbor Day Foundation. If approved, this will be Oxford's 21st consecutive year as an Arbor Day Foundation's Tree City USA.

Commissioners were informed that the revised Stormwater Management Design Manual had been completed, and a copy of the draft revision had been emailed to them earlier during the afternoon of December 7th. The draft revision included the structural and non-structural best management practices for managing Stormwater runoff that the Environment Commission had previously prepared. Commissioners were asked to review and comment on the draft Manual.

The Commissioners concluded discussion at 8:35 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, January 4, 2017 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources

Originating Department

Council Meeting Of: December 20, 2016

Candi Turpin

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

December 15, 2016

Date Prepared

Agenda Title:

Resolution approving the contract between the City of Oxford, Ohio, and the Oxford Police Sergeants and Lieutenants, Fraternal Order of Police, Lodge 38 and authorizing the City Manager and City Law Director to sign the contract on behalf of the City.

Recommendation: Approval.

Discussion:

December 31, 2016 marks the end of the existing contract between the City and the Oxford Police Sergeants and Lieutenants, Fraternal Order of Police, Lodge 38.

Negotiations are complete and approval of this Resolution will authorize the City Manager and the City Law Director to sign the recommended contract, the term of which is three years.

Approved By:

Initial Date

Department Head:

City Manager:

Cit 12/15/16
DRE 12/16/16

RESOLUTION NO.

A RESOLUTION APPROVING THE CONTRACT BETWEEN THE CITY OF OXFORD, OHIO AND THE OXFORD POLICE SERGEANTS AND LIEUTENANTS, FRATERNAL ORDER OF POLICE, LODGE 38 AND AUTHORIZING THE CITY MANAGER AND THE CITY LAW DIRECTOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY.

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

SECTION 1: The City Manager and the Police Chief recommend Council authorize the City Manager and the City Law Director to sign on behalf of the City the Contract referred to in substantially the same form as Exhibit "A" ("Contract") with the Oxford Police Sergeants and Lieutenants, Fraternal Order of Police, Lodge 38. The purpose of this Contract is to achieve a mutual agreement and understanding between the aforementioned parties and to establish written protocol for harmonious relations between the parties. The term of this Contract is for three (3) years from January 1, 2017 through December 31, 2019.

SECTION 2: Council hereby accepts the recommendation and approves the contract finding that the contract will benefit the community and it is in the best interest of the City to authorize the City Manager and the City Law Director to sign the contract on behalf of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: December 6, 2016

Sam Perry
Prepared By:

Account Code No. #:

Budgeted Amount:

November 9, 2016
Date Prepared:

PC-2016-20 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Quail Ridge Drive, for a total of 19 parcels, **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Quail Ridge Drive. A total of 19 parcels were included in the petition and a total of 17 property owners' signatures were obtained, thus exceeding the two-thirds requirement of the parcels of this petitioned area. Legislation allows a neighborhood to generate a petition to create an overlay district subject to meeting certain standards and public hearing process.

The petition to establish a neighborhood conservation overlay district was filed on September 7, 2016 with the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarded to the Planning Commission on September 20, 2016. The Planning Commission recommended this Zoning Map Amendment, since having met the Decision Standards of Chapter 1146, and at least one Decision Standard of Chapter 1135.

The intent is to be a grass-roots effort which only alters one aspect of the permitted land uses (residential occupancy). Therefore the base zoning district regulations are retained. Without the overlay, a single dwelling unit can have up to four unrelated persons. With the overlay, a single dwelling unit may still be rental property, but is limited to no more than two unrelated persons. Existing dwellings with more than two unrelated persons would be allowed to continue as legal conforming.

Approved by:

Department Head:
City Attorney:
City Manager:

JHC 11/9/16
DRE 12/2/16

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT IN A R-1A (SINGLE FAMILY LOW DENSITY RESIDENTIAL) DISTRICT FOR 19 PARCELS LOCATED ON QUAIL RIDGE DRIVE IN THE CITY OF OXFORD, OHIO.

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

SECTION 1: Council finds in accordance with Section 1146.03 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on November 8, 2016 on the City of Oxford's application for a Zoning Map Amendment to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 19 parcels located on Quail Ridge Drive in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

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

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, to establish a Neighborhood Conservation Overlay District in a R-1A (Single Family Low Density Residential) District for 19 parcels located on Quail Ridge Drive in the City of Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A".

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	December 6, 2016
<u>Case Number</u>	PC-2016-20
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Zoning Map Amendment
<u>Summary of Request</u>	ZONING MAP AMENDMENT To establish a Neighborhood Conservation Overlay District in an R1-A (Single-Family Low Density Residential) District, on Quail Ridge Drive for a total of 19 parcels, City of Oxford, Applicant
<u>Public Hearing Information</u>	On November 8, 2016 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on October 9, 2016. Public Hearing notices were mailed out to surrounding properties on October 24, 2016.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Map Amendment having met the Decision Standards of Chapter 1146, and at least one Decision Standard of Chapter 1135
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated October 31, 2016 2. Proposed Boundary Map 3. Interoffice Reviews 4. Surrounding Property Notifications 5. Zoning Map Amendment Application Dated October 3, 2016 6. Resolution 5012 City Council Acceptance of Petition 7. Staff Summary to City Council Dated September 12, 2016 8. Petition for Residential Conservation Overlay District

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2016-20

Date – November 8, 2016

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING MAP AMENDMENT** to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, in the Neighborhood of Quail Ridge Drive. **City of Oxford, Applicant**

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District in the neighborhood of Quail Ridge Drive.

A petition to establish a neighborhood conservation overlay district was filed on September 7, 2016 to the Clerk of City Council. A resolution was adopted by the City Council accepting the petition and forwarding this request to the Planning Commission on September 20, 2016.

ZONING CODE

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

COMPREHENSIVE PLAN

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

Objective Expand Housing options

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

Objective: Expand homeownership opportunities

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

AGENCY REVIEWS

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

Police:	Received with no comments
Fire:	Received with no comments
Engineering:	Received with no comments
Econ. Dev.	No comment received

DECISION CRITERIA

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

ANALYSIS

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

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

Many neighborhoods have gone through this process since the adoption of this enabling legislation in 2013. As of today, there have been 12 different neighborhoods throughout the City that have obtained the overlay district designation. These neighborhoods are typically located outside of the Mile Square.

A petition was filed by a group of neighbors in Quail Ridge Drive for a total of 19 parcels of tracts of land, to be considered a Neighborhood Conservation Overlay District on September 7, 2016 with the Clerk of the Oxford City Council. The petition also showed that there were 17 signatures obtained that represent 19 parcels. The signatures supporting this petition exceed the two-third requirements of the parcels of this petitioned area. The signatures represent 96% of the parcels within the boundary. A map of the proposed district is attached illustrating the area for consideration.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on September 20, 2016 and forwarded this petition to the Planning Commission for Zoning Map Amendment consideration.

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

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

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

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

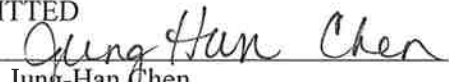
This would be the 13th neighborhood seeking Neighborhood Conservation Overlay District approval.

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: October 31, 2016

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Map Amendments

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

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

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

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



**Quail Ridge
Neighborhood
Conservation
Overlay District
Petition Boundaries**

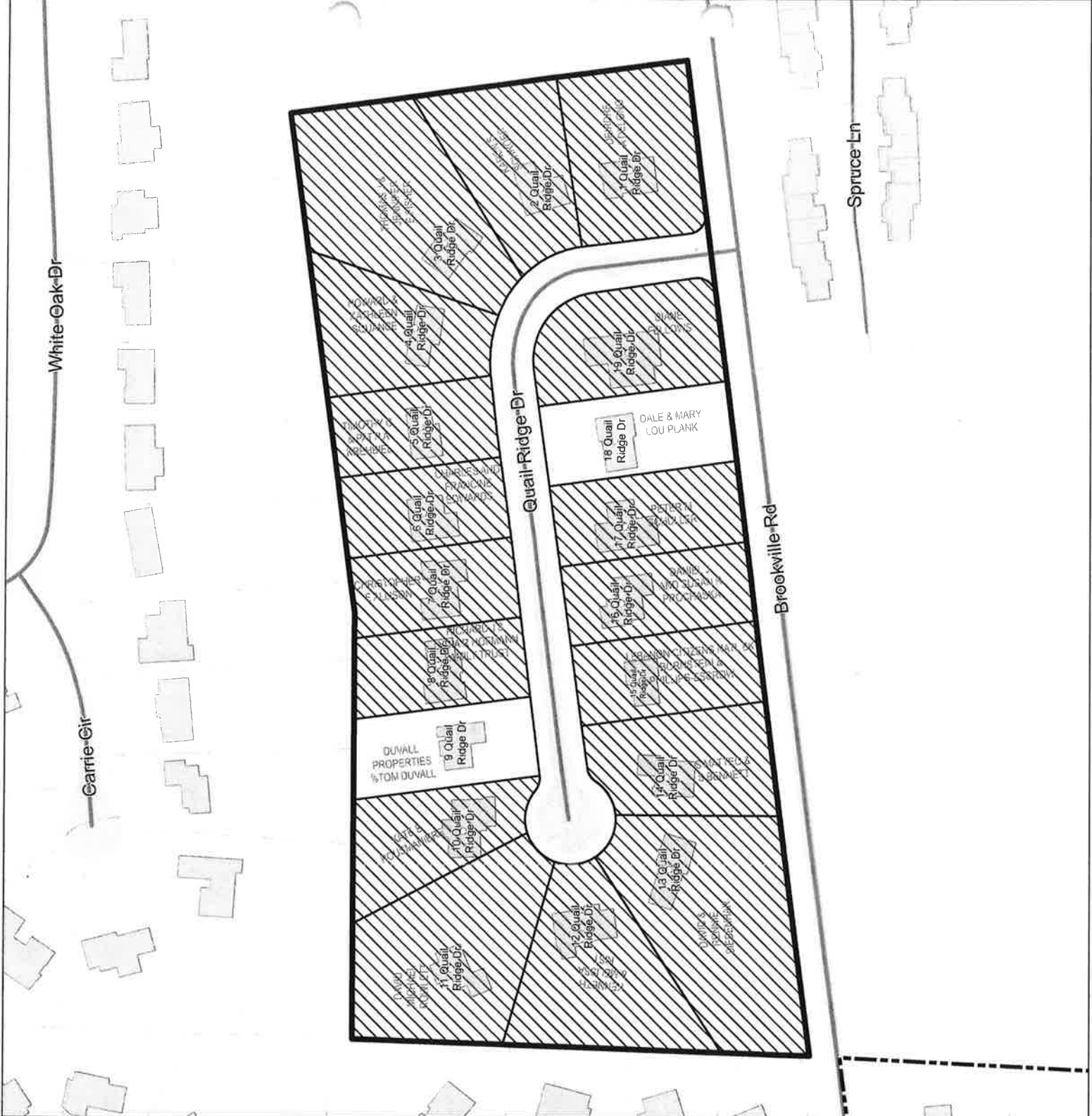
Legend

-  Petition Area
-  Petition Parcel: Signed
-  Petition Parcel: Not Signed
-  Oxford Corporation Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 150 feet

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 20, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-20 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Quail Ridge Drive, for a total of 19 parcels, **City of Oxford, Applicant**

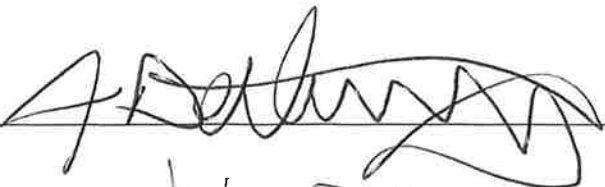
 X Review Revisions Other

Please return no later than: **November 2, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethurage
PRINTED NAME

Date:

10-21-16

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 20, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-20 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Quail Ridge Drive, for a total of 19 parcels, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **November 2, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:

V. Popescu

Date: 10-28-16

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: October 20, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2016-20 ZONING MAP AMENDMENT to establish a Neighborhood Conservation Overlay District in an R-1A (Single-Family Low Density Residential) District, on Quail Ridge Drive, for a total of 19 parcels, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **November 2, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 10/24/16

John A. Jones
PRINTED NAME



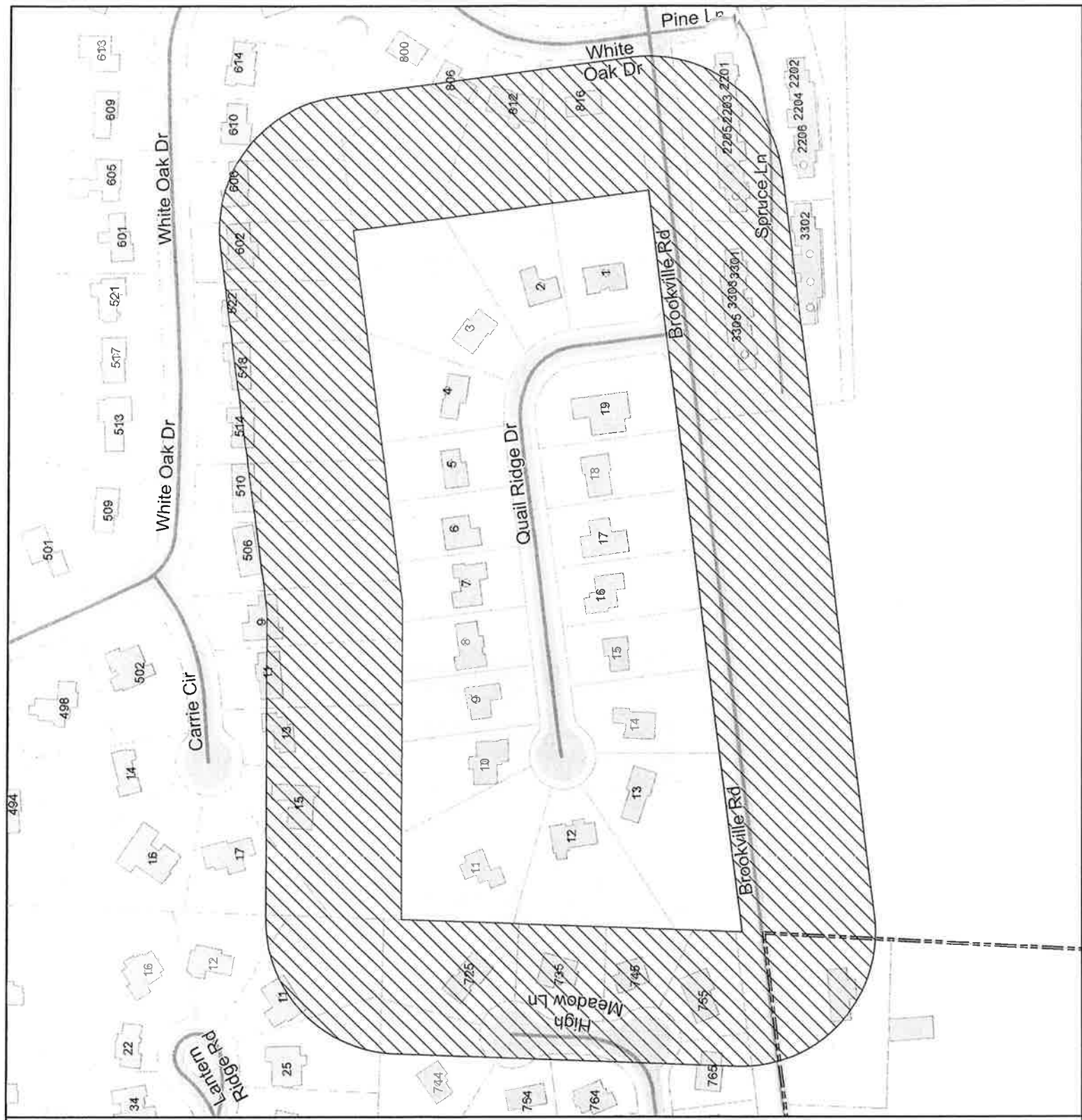
PC-2016-20
Surrounding
Property Owners
Notifications Map

Legend

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



1 inch = 200 feet





Internal Use Only:

Case No.

PC - 2016-20

Date Filed

10/3/16

Zoning Map Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-5245204

Email Address Jhchen@cityofoxford.org

Location and Lot Information

Location * Quail Ridge Drive

General Description
of Proposed Amendment * Overlay District

Current Zoning * R1A

Proposed Zone(s) * Neighborhood Conversation Overlay District

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The Butler County Auditor Real Estate Search² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

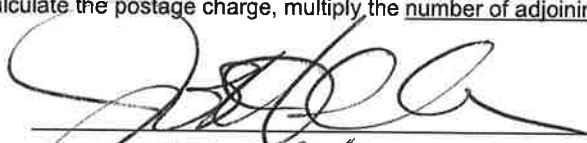
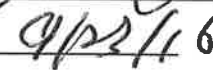
Fees & Receipt

The required fee is \$150.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Date *

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the proposed Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *



Receipt Number *

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

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>

RESOLUTION NO. 5012

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR QUAIL RIDGE DRIVE AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

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

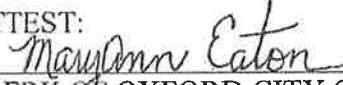
SECTION 1: The Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford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

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

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


VICE MAYOR

ADOPTED: September 20, 2016

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 20, 2016

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

September 12, 2016
Date Prepared

Agenda Title:	Resolution Accepting a Petition to Establish a Neighborhood Conservation Overlay District for Quail Ridge Drive and Referring the Petition to the Planning Commission for Recommendation
----------------------	---

Recommendation: Approval

Discussion:

The Residential Conservation Overlay District legislation was adopted by the City Council in 2012 to protect residential neighborhoods, maintain an attractive community appearance, and to provide a desirable living environment by restricting residential properties to be rented to no more than two unrelated individuals. The process to establish an overlay district begins with a petition with signatures of more than two-thirds of property owners within the proposed district. This petition goes before City Council for acceptance and the petition is then referred to the Planning Commission for review. There have been thirteen (13) petitions that have come before the City Council previously.

This petition for acceptance was filed by residents in the neighborhood of Quail Ridge Drive on September 7, 2016. There are a total of 19 parcels contained in the proposed overlay district boundary. The petition shows 17 valid signatures obtained, a total of 19 parcels, and the date when the owners signed the petition. A map of the proposed area is attached illustrating the area for consideration.

The signatures in this petition exceed the two-thirds requirement of the parcel owners of this petitioned area. The signatures represent 17 parcels within the boundary, which is 89%. Additionally, the boundary of the proposed overlay district also satisfies the general boundary requirements of Section 1146 of the Codified Ordinances.

This is the first step in creating a neighborhood conservation overlay district and requires City Council to formally accept the petition and forward this petition to the Planning Commission for review. Staff recommends approval of this resolution.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>9/14/16</u>
City Attorney:	<u> </u>	<u> </u>
City Manager:	<u> </u>	<u> </u>

City of Oxford
9/1-6-6

RECEIVED

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OUTVERLAY DISTRICT

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

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

Please see the attached map for exact boundaries.

East Boundary: rear lots of 1-3 Quail Ridge Drive
North Boundary: rear lots of 3-11 Quail Ridge Drive
West Boundary: rear lots of 11, 12 and 13 Quail Ridge Drive
South Boundary: Brookville Road (rear lots of 13-19 Quail Ridge Drive)

Circulator's Full Name: Debra H. Allison email: allisodh@miamioh.edu
Circulator's Address: 7 Quail Ridge Dr.
Circulator's Signature: Debra H. Allison

Circulator's Full Name: Christopher E. Allison email: allisoc@miamioh.edu
Circulator's Signature: Chris E. Allison
Circulator's Full Name:

Circulator's Signature: Jennifer Fisher
Circulator's Full Name: 3 Quail Ridge Dr.
Circulator's Signature: Jennifer E. Fisher

Circulator's Signature: James Squance
Circulator's Full Name: 4 Quail Ridge Dr.
Circulator's Signature: James Squance

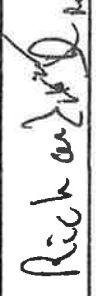
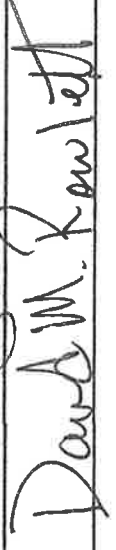
Petition for Quail Ridge Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Debra Allison, 7 Quail Ridge Drive

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

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
31 AUG 16	1 QUAIL RIDGE DR	DEIRDRE A DELONG		
8/29/16	2 QUAIL RIDGE DR	KAREN S SCHROER		
8/26/2016	3 QUAIL RIDGE DR	THOMAS J & JENNIFER E FISHER		
8/28/16	4 QUAIL RIDGE DR	HOWARD & KATHLEEN SQUANCE		
8/24/16	5 QUAIL RIDGE DR	TIMOTHY C & PATTI A KREHBIEL		
8/26/16	6 QUAIL RIDGE DR	CHARLES AND FRANCINE EDWARDS		
8/24/16	7 QUAIL RIDGE DR	CHRISTOPHER E ALLISON		
8/24/16	8 QUAIL RIDGE DR	RICHARD J & LYDIA R HOFMANN FAMILY TRUST		no response
8/27/16	10 QUAIL RIDGE DR	KATE B ROUSMANIERE		
8/27/16	11 QUAIL RIDGE DR	DAVID MICHAEL ROWLETT		

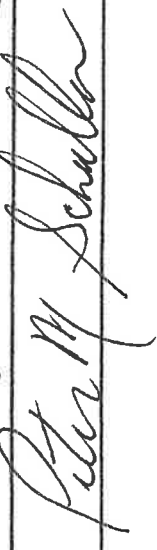
Petition for Quail Ridge Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Debra Allison, 7 Quail Ridge Drive

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

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
8/26/16	12 QUAIL RIDGE DR	KENNETH & MELISSA KIST		
26 Aug 2016	13 QUAIL RIDGE DR	DAVID & RENNIE SIEBENHAR		
8/26/16	14 QUAIL RIDGE DR	S MATTEO & S BENNETT		
8/26/16	15 QUAIL RIDGE DR	LEBANON CITIZENS NATL BK BORNSTEIN & PHILLIPS-ESCROW		
8/27/16	16 QUAIL RIDGE DR	DANIEL J AND SUSAN R PROCHASKA		
8/24/16	17 QUAIL RIDGE DR	PETER M SCHULLER		
	18 QUAIL RIDGE DR	DALE & MARY LOU PLANK		no response
8-28-16	19 QUAIL RIDGE DR	DIANE FELLOWS		

TO: QUAIL RIDGE PROPERTY OWNERS
RE: PETITION FOR RESIDENTIAL CONSERVATION OVERLAY
DATE: AUGUST 2016

PROPOSED: That Quail Ridge Drive homeowners apply for a change of zoning called a "neighborhood conservation overlay district." **This proposed zoning limits the number of persons in a rental residence to no more than two unrelated individuals.** If the zoning is approved, homeowners may rent property **but are limited to two unrelated persons who may live in the house.**

The purpose of the Conservation Neighborhood Overlay Zoning:

The purposes outlined in the ordinance are

1. To protect the privacy of residents and to minimize noise congestion and nuisance impacts by regulating the types of rental properties occupied by unrelated persons
2. To maintain an attractive community appearance and provide a desirable living environment for residents by preserving the owner occupied character of the neighborhood
3. To prevent excessive traffic and parking in the neighborhoods

Current zoning in Quail Ridge Drive: The current zoning for our area is "single family residence" defined as no more than FOUR unrelated people may live in the dwelling.

Process for a neighborhood to achieve overlay zoning

1. In order for our neighborhood to achieve this zoning, we must have **2/3 of the property owners sign a petition within 60 days (13 of 19 lots).**
2. The petition is sent to Oxford City Council that refers it to the Planning Commission for its recommendation.
3. If the recommendation is approved it is returned to City Council for second reading and approval. The process takes about three months.

A Quail Ridge resident will be contacting you soon with the opportunity for you to sign the petition. The signer of the petition must be the homeowner (if jointly owned, only one needs to sign.) You may contact any of the following individuals for further information.

Debra Allison, 7 Quail Ridge Drive, 523-5392
Christopher Allison, 7 Quail Ridge Drive, 523-5392
Jenny Fisher, 3 Quail Ridge Drive, 513-280-6272
Jim Squance, 4 Quail Ridge Drive, 423-1217

7 Quail Ridge Drive
Oxford, OH 45056
August 26, 2016

Mr. Tom Duvall
5942 Booth Road
Oxford, OH 45056

Dear Mr. Duvall,

The Quail Ridge neighbors on the enclosed list are working to petition Oxford City Council to grant a "Neighborhood Conservation Overlay" for Quail Ridge properties. If Planning Commission and City Council approve it, Quail Ridge homeowners would be restricted to rental of the home to no more than two unrelated persons. The current limit is four unrelated persons.

We are contacting the homeowners of record and asking for approval for this petition. If you are in agreement, please sign the enclosed petition and return it to me in the enclosed stamped, self-addressed envelope by September 5, 2016. If you do not support this, please write "Decline" in the signature space and date it, and return in the enclosed envelope.

Also enclosed is (1) a copy of the full ordinance passed by City Council in 2012, (2) a map that shows the boundaries for this overlay, and (3) a map that shows the already established overlays in the city, and other supporting items.

Should you have questions, you may email me at ALLISODH@MIAMIOH.EDU or call me at 523-5392.

Thank you,

Debra Allison

7 Quail Ridge Drive
Oxford, OH 45056
August 26, 2016

Mary Lou and Dale Plank
18 Quail Ridge Drive
Oxford, OH 45056

Dear Mary Lou and Dale,

The Quail Ridge neighbors on the enclosed list are working to petition Oxford City Council to grant a "Neighborhood Conservation Overlay" for Quail Ridge properties. If Planning Commission and City Council approve it, Quail Ridge homeowners would be restricted to rental of the home to no more than two unrelated persons. The current limit is four unrelated persons.

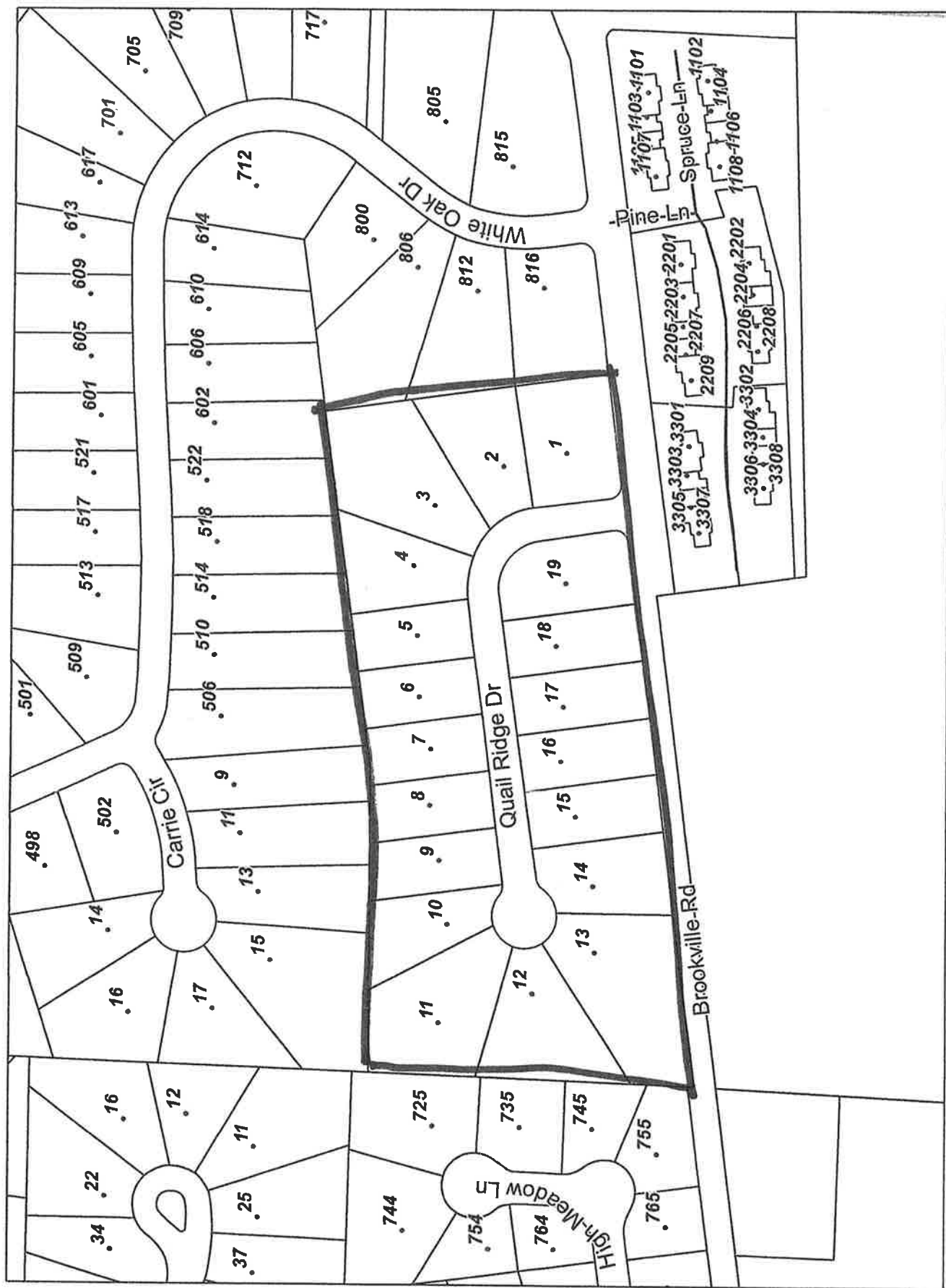
We are contacting the homeowners of record and asking for approval for this petition. If you are in agreement, please sign the enclosed petition and return it to me in the enclosed stamped, self-addressed envelope by September 5, 2016. Only one homeowner needs to sign. If you do not support this, please write "Decline" in the signature space and date it, and return in the enclosed envelope.

Also enclosed is (1) a copy of the full ordinance passed by City Council in 2012, (2) a map that shows the boundaries for this overlay, and (3) a map that shows the already established overlays in the city, and other supporting items.

Should you have questions, you may email me at ALLISODH@MIAMIOH.EDU or call me at (513) 523-5392.

Thank you,

Debi Allison



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: December 6, 2016

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

November 29, 2016

Date Prepared

Agenda Title: An Ordinance Providing For The Submission To The Electorate Of Amendments To The Charter Of The City Of Oxford, Ohio, And To Place The Same On The Ballot At The General Election, November 7, 2017.

Recommendation: Adopt the Ordinance.

Discussion: The Oxford City Charter was adopted by the voters in 1960. It adopted the Council-Manager form of government. One of the provisions of the Charter (Section 10.05) is for the City Council to appoint a Charter Review Commission every 10 years. City Council appointed five members in 2016. The members are Steve Dana, Edna Southard, Richard Keebler, Steve Snyder and Corey Watt. The Commission members were assisted by Doug Elliott, Steve McHugh, Mary Ann Eaton and Kim Newton. The Charter Review Commission met 5 times to discuss, propose, and review recommended changes to the Oxford City Charter. The recommended changes are shown on Exhibit "A" attached to this report. The recommended changes will require adoption of a City Ordinance by City Council. Those changes will be placed on the ballot and voted on by the electors of Oxford. The proposed changes approved by City Council will appear on the general election ballot in November 2017.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

12/2/16

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE CHARTER OF THE CITY OF OXFORD, OHIO, AND TO PLACE THE SAME ON THE BALLOT AT THE GENERAL ELECTION, NOVEMBER 7, 2017.

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

SECTION I: Council, having reviewed the report and recommendation submitted by the Charter Review Commission, determines that amendments to the Charter should be submitted to the electors of the City.

SECTION II: Article XVIII, Section 9 of the Ohio Constitution and Section 10.04 of the Charter provide that amendments to the Charter may be submitted to the electors of the municipality by a vote of at least five (5) of the members of Council.

SECTION III: The question of the amendments of the Charter of the City shall be submitted to a vote of the electors of the municipality at the general election to be held on Tuesday, the 7th day of November, 2017, at the regular places of voting in the City between the hours of 6:30 a.m. and 7:30 p.m. to determine whether the Charter shall be amended with the additions and deletions from the Charter as indicated in the draft Charter revisions document attached to this Ordinance as Exhibit "A".

SECTION IV: The ballot language shall read as follows:

"Shall the Charter of the Municipality of Oxford, Ohio be amended by:

1. removing Section 2.13 regarding police and fire personnel not being required to deliver agendas and other mail;
2. removing Section 2.14 regarding Westgate Drive being maintained as a cul-de-sac;
3. revising Section 3.02 to provide that ordinances should be introduced in the form required for final adoption and to update the language of the enacting clause of an ordinance;
4. revising Section 3.04 to provide that ordinances passed by Council should be published by placing the ordinance on the City's website and in not less than three of the most public places in the City for a period of not less than ten days and further providing that failing to publish as stated does not invalidate any ordinance;
5. revising Section 3.06 to remove the requirement that six copies of all model or standard codes adopted by Council be available in the office of the Clerk of Council, to remove the requirement that additional copies be available for sale, and to provide

that one copy of all model or standard codes adopted by Council be available for viewing at the City offices;

6. adding Section 5.03 to provide that Council has the authority to adopt personnel ordinances or rules and regulations which, if in conflict with the laws of the State of Ohio, prevail; to provide that all appointments and promotions of City employees shall be made based on merit; to provide the exempt and classified positions of the City; to provide that the City Manager shall provide the rules for merit and fitness as the basis for appointment and promotion; to provide that the City Manager shall make appointments for all positions in the classified service based on a competitive examination and on other qualifications and that appointments should be made from a list of the five candidates who ranked highest on the eligibility list; to provide that the City Manager shall make promotions for all positions in the classified service based on competitive examination and other qualifications and that promotional examinations may be restricted to current employees or may be opened to other qualified candidates; to provide that promotions shall be made from a list of the three candidates who ranked highest on the eligibility list; to provide that no officer or employee in the classified service can be demoted or removed except for cause and after a hearing and that Council will provide for enforcement by ordinance and appeals will be to the Personnel Appeals Board; and to provide that the appointment of a new employee shall not be deemed complete until a probationary period of twelve months has elapsed and not to exceed eighteen months for sworn officers and that a probationary employee can be discharged at any time during the probationary period upon the recommendation of the department head with the approval of the City Manager;
7. revising section 5.06 to provide that Council appoints a Director of Finance for an indefinite term, that the Director of Finance is the fiscal officer of the City and is responsible for the accounting, collecting, and disbursing of public funds, that the Director of Finance countersigns all bonds and notes issued by the City, and that the Director of Finance will perform other functions as assigned by ordinance and the City Manager;
8. revising Article VIII to remove the reference to Civil Service Commission and insert reference to Personnel Appeals Board;
9. revising Section 8.01 to provide that there shall be a Personnel Appeals Board consisting of three qualified electors of the City who are appointed by Council for a three year term, that Council will fill vacancies by appointment for the unexpired term, that each member cannot be a candidate for any other public office or be an employee of the City, and that the City and the Personnel Appeals Board do not have jurisdiction over and are not obligated to perform any duties with regard to the employees of the Talwanda City School District;
10. revising Section 8.02 to provide that the Personnel Appeals Board serves without compensation, hears appeals from any nonexempt employee or applicant who has

successfully completed a probationary period, has the power to subpoena witnesses and require the production of documents, that all decisions of the Board are final, and that the Board has the power to hear and determine appeals of disciplinary actions, suspensions, demotions, or removals of employees if not resolved upon a hearing and determination by the City Manager;

11. revising Section 8.09 to remove reference to Civil Service Commission and insert reference to Personnel Appeals Board;
12. removing Section 9.07 regarding watchers and challengers for regularly nominated candidates;
13. removing Section 9.08 regarding election of candidates;
14. removing Section 10.01 regarding the oath of office for officers and employees;
15. revising Section 11.01 to provide that the City is the legal successor of the Village of Oxford and therefore has title to all property owned by its predecessor and that adoption and amendments to the Charter do not impair rights vested in the City nor discharge liability previously incurred by the City;
16. removing Section 11.02 regarding continuation of ordinances;
17. removing Section 11.03 regarding continuation of officers after adoption of the Charter;
18. removing Section 11.04 regarding continuation of employees after adoption of the Charter;
19. removing Section 11.05 regarding the transferring of public records and property upon termination of tenure of office or employment for officers and employees;
20. removing Section 11.06 regarding continuation of contracts and public improvements after the adoption of the Charter;
21. removing Section 11.07 regarding pending actions and proceedings that were in place at the time of the adoption of the Charter
22. removing Section 11.08 regarding when the Charter took effect when it was adopted.

SECTION V. A majority vote shall be necessary for adoption of this question. If adopted, this amendment will be effective on certification of the election results.

SECTION VI. Notice of the time and place of holding such election shall be given as required by law. The full text of the proposed amendment shall be published one (1) time per week for not less than two (2) consecutive weeks in a newspaper of general circulation in the

City of Oxford, with the first publication being not less than fifteen (15) days prior to the election at which the amendment is to be submitted to the electors.

SECTION VII. The Clerk of Council shall certify this Ordinance to the Butler County Board of Elections by 4:00 p.m. on July 15, 2017.

SECTION VIII. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

EXHIBIT "A"

CHARTER OF THE CITY OF OXFORD, OHIO

PREAMBLE

We, the people of the City of Oxford, Butler County, Ohio in order to secure for ourselves the benefits of local self-government under the constitution of the State of Ohio, do ordain and establish this Charter for the government of the Municipality of Oxford.

ARTICLE I INCORPORATION, FORM OF GOVERNMENT, POWERS

SECTION 1.01 INCORPORATION.

The present municipality, as its limits are now or may hereafter be established, shall be and continue to be a municipal corporation of the State of Ohio in perpetuity, under the name of the City of Oxford. Each provision of this Charter shall apply with equal force to this municipality.

SECTION 1.02 POWERS.

Except as prohibited by the constitution of this state or restricted by this Charter, the City of Oxford shall have and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The enumeration of particular powers in this Charter shall not be deemed to be exclusive. No act of the municipality shall be invalid or limited by reason of failure to enumerate a particular power in this Charter. The municipality shall have and may exercise any and all powers, either expressed or implied, which it would be competent for this Charter to enumerate, as fully and completely as though such powers specifically were included herein.

SECTION 1.03 MANNER OF EXERCISING POWERS.

All powers of the corporation shall be vested in an elected Council which shall enact local ordinances and resolutions, adopt budgets, determine general policies and appoint a City Manager, who shall see that the policies and legislation adopted by the Council are enforced. All powers of the corporation shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance or by general law.

SECTION 1.04 FORM OF GOVERNMENT.

The form of government provided under this charter shall be known as the Council-Manager Plan.

ARTICLE II

THE COUNCIL

SECTION 2.01 NUMBER, SELECTION AND TERM.

The City Council shall consist of seven members, elected at large, for four year overlapping terms. Except as provided in Section 2.03, all members of Council shall be elected to a full term of office. All elections of Council members shall be on a non-partisan ballot.

SECTION 2.02 QUALIFICATIONS.

Any qualified elector who has lived in the municipality for one year prior to filing a petition of candidacy shall be eligible to serve as a member of Council, when elected as hereinafter provided.

The Council shall be the judge of the election and qualifications of its own members. The seat of any member may be declared vacant by resolution of Council, five (5) members concurring.

Council shall declare vacant a seat of any member for the following reasons:

1. One who persistently fails to abide by the rules of Council.
2. One who is absent without justifiable excuses for three (3) consecutive regular meetings.
3. One who shall cease to be a qualified elector and resident of the municipality as required by the Charter unless special circumstances have been approved by five (5) members of Council concurring.
4. One who enters upon the performance of the duties of an incompatible public office.
5. One who shall hold any appointed office or employment with the municipality for which compensation is authorized.
6. One who shall violate any expressed provisions of this Charter.
7. One who shall be convicted of a crime involving moral turpitude or any felony.
8. One who shall be convicted of any other provision of the State laws as applicable to public officials for which the penalty includes forfeiture of office.

SECTION 2.03 VACANCIES, FILLING OF.

Vacancies in the office of Council members shall be filled within thirty (30) days by vote of a majority of the remaining members of Council, by the selection of a qualified elector who has resided in the municipality for at least one year immediately preceding such appointment. If Council fails to make this selection within thirty (30) days, the Mayor shall make the appointment. Such person so chosen shall serve until the next regular City Council election, occurring not less than 100 days after selection. At such election, a successor shall be elected to serve for the unexpired term, if any; if not, for a full term.

SECTION 2.04 TERM OF OFFICE.

The term of office of Council members shall begin on the third Monday following the regular City Council election. City Council election shall be held on the first Tuesday after the first Monday in November in the odd numbered years. No member of Council shall serve more than two consecutive terms.

SECTION 2.05 SALARY.

The salary of Council members, other than the Mayor, shall be at a rate established by Council, until changed by ordinance adopted by Council. No increase in salary shall ever take effect during the term of a Council member in office at the time the ordinance is adopted.

SECTION 2.06 ORGANIZATION AND MEETINGS.

Following each municipal election Council shall meet within five days after the beginning of the term of office of the newly-elected members of Council for the purpose of organizing. At such meeting, the newly-elected members of Council shall take the oath of office and the Council shall proceed to elect a Mayor and a Vice-Mayor and may transact such other business as may come before it. Thereafter, regular or special meetings shall be held as prescribed in the Council rules, and regular meetings shall occur not less frequently than once each month. All meetings of Council and its Boards and Commissions shall be open to the public except Executive Sessions as provided for by Ohio statute. A majority of the members elected shall constitute a quorum at all meetings.

SECTION 2.07 MAYOR AND VICE-MAYOR.

The Council shall select biennially from among its own members one to serve as Mayor and one as Vice-Mayor for a term of two years and until their successors are chosen and qualified. The Mayor shall preside at Council meetings, when present, and shall have a vote on all matters which come before Council, but shall exercise no administrative

authority. The Mayor shall be the ceremonial head of the municipality, but shall exercise no administrative authority. The Vice-Mayor shall preside over the meetings of the Council when the Mayor is absent and shall perform such other duties as may be assigned by Ordinance.

SECTION 2.08 SALARY OF MAYOR.

The Mayor shall be paid a salary at a rate established by Council, until changed by ordinance adopted by Council. No increase in salary shall ever take place during the term of the Mayor in office at the time the ordinance is adopted.

SECTION 2.09 CLERK OF COUNCIL.

There shall be a Clerk of Council, elected by vote of majority of the members of Council from outside its membership, to serve until a successor is chosen and enters upon the duties of the Clerk's office. The Clerk may be appointed to serve full time or part time and the Council may assign the duties of the Clerk of Council to any employee of the Municipality as an additional duty. The Clerk shall give notice of Council meetings, keep the journal, advertise public hearings, record in separate books all ordinances and resolutions enacted by Council and have the same published in the manner provided by this Charter. The Clerk shall perform such other duties as may be assigned by this Charter or by ordinance.

SECTION 2.10 RULES AND JOURNAL.

The Council shall determine its own rules of procedure in conformity with the provisions of this Charter, and shall keep a journal of its proceedings which shall be a public record.

SECTION 2.11 POWERS OF THE COUNCIL.

Among other powers the Council shall have authority to:

(1) Adopt ordinances and resolutions on any subject within the scope of its powers and to provide penalties for the violation thereof;

(2) Establish the internal organization, staffing and compensation of the departments, boards and commissions created by this Charter; set up such additional departments, boards or commissions as it may deem necessary and determine their powers and duties;

(3) Adopt and modify the master plan and official map of the municipality;

(4) Regulate the use of private real estate in the municipality by establishing zones, limiting the uses in each zone and limiting the height of buildings and the intensity of land use. Structures

containing more than three dwelling units, as defined within the most current edition of the Ohio Building Code, are prohibited within the incorporated area as described:

Situated in the City of Oxford, Butler County, State of Ohio, bounded and described as follows: Beginning at the intersection of Chestnut Street and Patterson Avenue; thence northwardly with the centerline of Patterson Avenue to a point, which was the 1976 North Corporate line; thence with the 1976 North Corporate line to a point in the centerline of Brown Road; thence southwardly with the centerline of Brown Road to a point in the centerline of Sycamore Street; thence westwardly with the centerline of Sycamore Street to a point in the centerline of Locust Street; thence with the centerline of Locust Street southwardly to a point in the intersection of the centerline of Chestnut Street and Locust Street; thence with the centerline of Chestnut Street eastwardly to the place of beginning; excepting the following area described as beginning at the intersection of Church Street and College Avenue; thence southwardly with the centerline of College Avenue to a point in the intersection of the centerline of Walnut Street and College Avenue; thence eastwardly with the centerline of Walnut Street; thence northwardly with the centerline of Campus Avenue to a point in the intersection of the centerline of Church Street; thence westwardly with the centerline of Church Street to the point of beginning.

This prohibition shall not apply to existing structures containing more than three dwelling units which shall be permitted to continue as nonconforming as long as said use is continued, but the same shall prohibit the future construction or establishment of structures containing more than three dwelling units;

(5) Adopt a subdivision platting ordinance and approve subdivision plats which conform thereto;

(6) Enact a comprehensive building code;

(7) Authorize the levy of taxes and the issuance of bonds as provided in this Charter;

(8) Adopt an annual appropriation ordinance based upon the annual budget;

(9) Appoint and remove the City Manager, establish the Manager's salary and appoint an acting City Manager when necessary;

(10) Appoint and remove the Director of Finance and establish such Director's salary;

(11) Appoint and remove the Director of Law and establish such

Director's salary;

(12) Inquire into the conduct of any municipal officer or employee in the performance of public functions of such officer or employee;

(13) Make investigations of any office, department or agency of the municipality;

(14) Grant public utility franchises by vote of 2/3 of the members of Council;

(15) Employ a public accountant to make an audit of the financial affairs of the City whenever such an audit is deemed necessary;

(16) Provide for the employment of engineering and other professional services on a consulting basis when deemed necessary;

(17) Issue subpoenas for witnesses and to require the production of books and papers which may be necessary in the conduct of any hearings or investigation.

(18) Council shall have the power to appeal the decisions of its boards and commissions on an affirmative vote of five (5) members of Council.

SECTION 2.12 UTILITY USERS LIABLE FOR OWN USES AND NOT FOR OTHERS.

Tenants and property owners shall be liable only for their own utility use unless they have made an agreement between themselves to the contrary. New tenants and new property owners shall not be liable for the utility services provided to other prior tenants or owners or provided to other existing tenants unless they have made an agreement between themselves to the contrary.

~~SECTION 2.13 POLICE AND FIRE PROTECTION.~~

~~Police and fire personnel shall not be required to deliver agendas of Council meetings, or other ordinary mail, of the City except in situations of a true emergency need and when regular methods of communication are inadequate. Both shall perform such duties as are provided by the laws of the State of Ohio and the Ordinances of this City.~~

~~SECTION 2.14 PUBLIC SAFETY AND PROPERTY RIGHTS.~~

~~To preserve and protect the public safety, and the rights of property owners, and to preserve the neighborhood and quality of life, Westgate Drive shall continue to be maintained as a cul de sac as it has been for over 100 years and Westgate Drive shall not be extended beyond the presently paved portion thereof which paved portion does not extend~~

~~beyond the northern boundary of lots 1294 / 1257 006.~~

ARTICLE III
ORDINANCES AND RESOLUTIONS

SECTION 3.01 ACTION OF COUNCIL.

The action of Council shall be by ordinance or resolution. On all matters of a general or permanent nature, or granting a franchise, or levying a tax, or appropriating money, or contracting an indebtedness, or issuing bonds or notes, or for the purchase, lease or transfer of property, action shall be taken formally by ordinance in the manner hereinafter provided. Action on all other matters of a temporary or informal nature may be taken by resolution.

SECTION 3.02 ENACTMENT OF ORDINANCES.

~~Each proposed ordinance shall be introduced in writing by a member of the Council, and, in addition to the title, shall contain an opening clause reading as follows: 'Be it ordained by the Council of the City of Oxford, Ohio.'~~ **Each proposed ordinance shall be introduced in writing by a member of the Council and in the form required for final adoption. The enacting clause shall be "The Council of the City of Oxford, Ohio, hereby ordains that..."** Prior to introduction, a written copy of each proposed ordinance shall be provided to all members of Council and any member of the public requesting a copy. The action proposed to be taken shall be fully and clearly set forth in the body of the ordinance. Each ordinance shall contain one subject only which shall be stated clearly in the title. No ordinance shall be passed without the concurrences of a majority of all members elected to Council, except that emergency ordinances, as hereinafter provided, shall require concurrence of 3/4 of all members elected to Council for passage. Ordinance shall be read by title only on two different days before they may be enacted. Council on motion adopted may require the second reading of a proposed ordinance in full. However, if an emergency is declared as hereinafter provided, or if by 3/4 vote of all members elected to Council, the reading by title on two different days is dispensed with, in which cases such ordinances may be read one time by title only and passed on the day of such reading. Final passage of all ordinances and resolutions shall be certified by the Mayor or Vice-Mayor and the Clerk of Council.

SECTION 3.03 EFFECTIVE DATE.

Ordinances providing for appropriations for current expenses of the municipality, or for public improvements petitioned for by the owners of a majority of the foot frontage of property benefited and to be specially assessed for the cost thereof, or for raising revenue, or ordinances wherein an emergency is declared to exist, shall become effective immediately upon passage or at such later date as may be provided therein, and such ordinances shall not be subject to referendum. All other ordinances shall take effect 30 days after passage. An emergency

ordinance as referred to herein is one which must be passed and made effective at once or in less than 30 days to meet an emergency in the operation of the City government, or which is necessary for the immediate preservation of the public peace, health, safety, morals or welfare. Each emergency ordinance must contain therein a separate section setting forth the reason for the emergency. No ordinance granting a franchise or fixing a rate to be charged by a public utility shall be passed as an emergency measure.

SECTION 3.04 PUBLICATION OF ORDINANCES.

~~A summary of each ordinance must be published on adoption, in a newspaper of general circulation in the City of Oxford. The summary shall be prepared by the Clerk of Council, approved by the Law Director, and shall describe the ordinance in brief and general terms. Resolutions shall not be published, unless the Clerk of Council is directed to do so by Council. The complete text of all ordinances and resolutions shall be made available at the office of the Clerk of Council.~~

All ordinances passed by the Council shall be published except as otherwise required by law, as used in this Section "published" shall mean to post copies thereof, or a summary of such adopted legislation, on the City's website and in not less than three of the most public places in the City, as determined by the Council for a period of not less than ten days and to take such other actions as provided by Council. It also includes posting on the City's website. Failure to publish as required by this Section shall not invalidate any ordinance.

SECTION 3.05 INITIATIVE AND REFERENDUM.

The initiative and referendum powers, reserved to the people under the Ohio Constitution, shall be exercised in the manner provided by the Ohio Constitution, the laws of the State of Ohio and this Charter, except: that any initiative or referendum petition filed with the Auditor of the City of Oxford shall contain the signatures of not less than ten percent of the voters who voted at the preceding election for the office of Governor; that when a petition having the required number of signatures is filed with the City Auditor, it shall be held in the Auditor's office for a period of 15 days before certification of the text of the proposed ordinance is made to the Board of Elections; that the committee designated by the petitioners to file said petition shall consist of five members. In all other respects, the procedure with reference to initiative and referendum petitions shall be the same as that provided by the Constitution, laws of the State of Ohio and this Charter. Whenever the Council is required to pass more than one ordinance to complete the legislation necessary to complete and pay for any public improvement, the referendum shall apply only to the first ordinance to be passed and not to any subsequent ordinance in the series relating thereto. Resolutions are not subject to referendum.

SECTION 3.06 ADOPTION OF STANDARD CODES BY REFERENCE.

The Council may adopt model or standard codes prepared and published by public or private agencies on such matters as building construction, plumbing, heating, ventilating, air conditioning, electric wiring, smoke regulation, fire prevention and other similar regulatory subjects by reference to the date and source of the code without reproducing the same in full in the ordinance. In all cases in which such a code shall be adopted by reference, publication of the code, at length, by the City, shall not be required. One copy of all such adopted codes shall be available for viewing at City offices. ~~However, at least six copies of all such codes shall be kept in the office of the Clerk of Council for reference and consultation by interested persons during regular office hours, and additional copies shall always be available for sale, at cost, by the Clerk of Council.~~

ARTICLE IV CITY MANAGER

SECTION 4.01 APPOINTMENT OF CITY MANAGER.

The Council shall appoint, by majority vote of all members elected thereto, an officer to the City who shall have the title of City Manager. The City Manager shall be chosen solely on the basis of executive and administrative qualifications, as judged by the adequacy of training and experience. At the time of appointment the City Manager need not be a resident of the city or state, but during tenure of office the City Manager shall reside in the municipality. No council member shall be eligible for appointment as City Manager during the term for which elected, or for two years thereafter.

SECTION 4.02 CITY MANAGER'S DUTIES.

The City Manager shall be the chief executive and administrative officer of the municipality. The City Manager shall be responsible to the Council for proper administration of all affairs of the municipality, and to that end, subject to the provisions of this Charter, shall have authority and shall be required to:

(1) See that this Charter and the ordinances and resolutions of the City are faithfully observed and enforced;

(2) Appoint and remove all officers and employees of the City except those selected or appointed by Council, or as otherwise provided in this Charter;

(3) Insure the preparation of the tax budget and annual budget, submit them to Council for approval and administer the appropriations made by the Council;

(4) Prepare and submit monthly reports to the Council. Insure the preparation and submission to Council and the public annually, not later than March 31, a complete report on the finances and administrative activities of the municipality for the preceding year; which report shall be deemed to satisfy the requirements of Section 117.19, Revised Code of Ohio. Such annual report shall be published and distributed in the manner provided by ordinance;

(5) Formulate and arrange contract, franchises and agreements subject to the approval of Council. Sign as the official signatory of the City all legal documents on behalf of the City including, but not limited to all contracts, bonds and notes on behalf of the City;

(6) Attend all meetings of Council unless otherwise directed by Council, and shall have the right to take part in the discussion of all matters coming before Council in such meetings, but shall have no vote;

(7) Serve as an ex-officio member (without vote) of all boards and commissions authorized under this Charter, except the Civil Service Commission;

(8) Delegate to subordinate officers and employees of the municipality any duties conferred upon the Manager by this Charter or by action of Council and hold them responsible for the faithful discharge of such duties;

(9) Perform such other duties, not inconsistent with this Charter, as may be required by the Council.

SECTION 4.03 ABSENCE OR DISABILITY OF CITY MANAGER.

The City Manager may designate, by letter filed with the Clerk of Council, any qualified administrative officer of the City to perform the duties of the City Manager during the temporary absence or disability of the City Manager. If such designation has not been made, and the City Manager is unable to perform such duties or to make such designation, the Mayor on an emergency basis may appoint an acting City Manager until the next Council meeting. Council may thereafter appoint any qualified administrative officer of the municipality to perform the duties of the City Manager until the City Manager shall return or the disability ceases.

SECTION 4.04 REMOVAL OF THE CITY MANAGER.

The City Manager shall serve for an indefinite term, subject to removal by the Council at any time by a majority vote of all members elected thereto. At least 30 days before such removal shall become effective, the Council shall adopt a preliminary resolution stating the reasons for the removal. The Manager may reply in writing and may request a public hearing, which shall be held not earlier than 20 days nor later than 30 days after the filing of the request, before the full Council. After

such public hearing, if one is requested, and after full consideration, the Council may adopt a final resolution of removal. The Council may, at the time the preliminary resolution is passed, suspend the Manager from duty and designate an acting Manager but shall cause forthwith the payment of any salary due the Manager to the date of suspension of the Manager. Unless such suspension and removal is for misconduct of the Manager involving moral turpitude, the Manager shall be paid a salary for the period of suspension and 30 days following the removal from office. In the case of voluntary resignation of the Manager, the Council and the Manager shall agree upon the effective date of the resignation.

SECTION 4.05 CONTRACT WITH THE CITY MANAGER.

Council shall have the right to negotiate and authorize the Mayor to sign on behalf of Council a contract of employment with the City Manager setting forth the terms of employment and separation from employment for the City Manager as deemed to be appropriate by Council. No term established herein shall establish an expectation of continued employment except as provided in the contract.

SECTION 4.06 RELATIONS BETWEEN COUNCIL AND MANAGER.

Except for the purpose of inquiry or investigation, the members of Council shall deal with the administrative employees of the municipality solely through the City Manager. No member of the Council shall interfere in the appointment or removal of officers or employees subordinate to the City Manager. In the event any member of Council is found by the Council to have violated this section, Council shall declare that seat vacant.

ARTICLE V ADMINISTRATIVE DEPARTMENTS

SECTION 5.01 CREATION OF DEPARTMENTS.

The administrative functions of the City shall be carried on by a Department of Finance, and Department of Law and such other departments as may be created by ordinance, after consultation with the City Manager.

SECTION 5.02 DEPARTMENT HEADS.

Each City department shall be headed by a full-time or part-time director. With the exception of the Departments of Finance and Law, the City Manager shall appoint all department heads. The heads of the Departments of Finance and Law shall be appointed by the Council, in accordance with the provisions of this Charter. Each department head shall be an administrative officer of the City. Two or more departments

may be headed by the same person and the City Manager may serve as the director of one or more departments in addition to the duties as Manager, when approved by Council.

SECTION 5.03 PERSONNEL

The Council shall have the authority to adopt personnel ordinances or personnel rules and regulations which modify, supplement, or supersede the laws of the State of Ohio and which, in the case of conflict, shall prevail over the laws of the State of Ohio.

All appointments and promotions of City employees shall be made on the basis of merit and fitness demonstrated through a competitive selection process to the extent practicable and except as otherwise provided by Council.

Exempt Positions:

- (1) All elected officers.
- (2) The Clerk of Council.
- (3) The City Manager.
- (4) ~~The Secretaries and~~ Assistants to the City Manager
- (5) The Directors of the departments.
- (6) ~~The Secretaries and~~ Assistants to the Directors.
- (7) Chief of Police.
- (8) Fire Chief.
- (9) Members of boards and commissions appointed by Council.
- (10) Unskilled labor, as defined by ~~Civil Service Commission~~ Council.
- (11) Temporary employees of exceptional professional or scientific qualifications engaged as consultants for special work by the City.
- (12) Seasonal and part-time employees.

Classified Service: The classified service shall comprise all positions not specifically included in this Charter in the unclassified service as exempt positions.

The City Manager shall provide rules for the determination of merit and fitness as the basis for appointment and promotion of classified personnel

Appointments for all positions in the classified service shall be made by the City Manager based on a competitive examination and on the basis of experience, character, and conduct. Appointments shall be made from a list of the five candidates ranked highest on the eligibility list for that position, provided five candidates qualify to be placed on the list.

Promotions for all positions in the classified service shall be made by the City Manager based on competitive examination and on records of merit, efficiency, character, conduct and seniority. Promotional examinations may be restricted to current employees or the City Manager may open the exam to qualified candidates from outside the City service.

Promotion appointments shall be made from a list of the three candidates ranked highest on the eligibility list for that position, provided three candidates qualify to be placed on the list.

No officer or employee in the classified service shall be demoted or removed except for cause and after a hearing, and the Council shall provide by ordinance for the enforcement of this provision and also for appeals to the ~~Civil Service Commission~~ Personnel Appeals Board for suspensions, demotions and removals by the City Manager.

An original appointment of a new employee shall not be deemed complete until a period of probation not to exceed twelve months has elapsed; except that in the police department division said probationary period for sworn officers, shall not exceed eighteen months. Such probationary employee may be discharged at any time within the said probationary period, upon recommendation of the head of the department in which said probationer is employed, with the approval of the City Manager.

SECTION 5.04 EMPLOYEE HANDBOOK.

An employee Handbook shall be distributed among all divisions of the City. Pending adoption of revisions to the Employee Handbook by Council, the City Manager may establish temporary provisions of the Employee Handbook.

Subject to the provisions of this Charter, and after consultations with the City Manager, the Council shall approve and adopt an Employee Handbook, which shall provide in detail the organization of the municipal government, define the powers and duties of each organizational unit and determine the employee procedures to be followed. Amendments to, and revisions of, the Employee Handbook shall be made by Council only after consultation with the City Manager. Where the Employee Handbook is silent, the officers and employees of the City shall have and may exercise all powers and duties provided for similar officers and employees by the state law. However, provisions of the Employee Handbook shall supersede those of state law in cases of conflict.

SECTION 5.05 DEPARTMENT OF LAW.

The Director of the Department of Law shall be known as the City Attorney. The City Attorney shall be an attorney-at-law, admitted to

practice law in the State of Ohio, and in good provisional standing. The City Attorney shall perform such duties as may be assigned to the office of the City Solicitor by law, as well as those imposed by the Charter and City Ordinance. The City Attorney shall be appointed by Council for an indefinite term of office.

SECTION 5.06 DEPARTMENT OF FINANCE.

~~The Department of Finance shall perform those functions customarily performed by the Auditor and the Treasurer under the general laws of Ohio. The Director of the Department of Finance shall be assigned the title of City Auditor. The City Auditor shall be appointed by Council for an indefinite term of office. The City Auditor shall be the fiscal officer of the City and shall be responsible for the accounting, collection and custody of public funds and control over disbursements. The City Auditor shall countersign all bonds and notes issued by the City and shall perform such other functions as may be assigned by ordinance or by order of the City Manager.~~

The Council shall appoint a Director of Finance for an indefinite term of office. The Director of Finance shall be the fiscal officer of the City and shall be responsible for the accounting, collection and custody of public funds, and control over disbursements. The Director of Finance shall countersign all bonds and notes issued by the City and shall perform such other functions as may be assigned by ordinance or by order of the City Manager.

ARTICLE VI TAXATION AND BORROWING

SECTION 6.01 LEVYING TAXES.

The Council shall have the power to levy taxes, without a vote of the electors, for the current operating expenses and other lawful municipal purposes, in the manner provided by the constitution and general laws of Ohio, subject to the limitations provided therein.

The authority of the Council to submit additional levies to a vote of the people under authority of the constitution or laws of the State of Ohio shall not be deemed impaired or abridged by reason of any provision contained in this Charter.

SECTION 6.02 SUBMISSION OF EXTRA LEVY TO VOTE.

The Council may at any time prior to the 15th day of September in any year declare by resolution, adopted by a vote of 2/3 of all the members thereof, that the amount of taxes which may be raised within the limitations of this Charter will be insufficient to provide an adequate

amount for the necessary requirement of the City for current operating expenses, and other expenses payable from the general fund of the City, and such permanent improvements and equipment as shall have an estimated useful life of five years or more, and that it is necessary to levy taxes in excess of such limitation, in addition to the levies authorized and limited by this Charter, for the municipal purpose or purposes specified in such resolution. Such resolution shall specify the additional rate which it is necessary to levy, the purpose or purposes thereof, the number of years during which such rate shall be in effect and the date of the proposed election thereon. Such resolution shall be effective upon its adoption and shall be certified within five days thereafter to the election authorities, who shall place such question upon the ballot at the next succeeding November election. If a majority of those voting thereon vote for the approval of such additional levy, the Council shall, for a period not in excess of that prescribed in such resolution, make such levy, or such part thereof as it finds necessary, pursuant to such approval and certify the same to the County Auditor, to be placed on the tax list and collected as other taxes.

SECTION 6.03 POWER TO INCUR DEBT.

The Council may, by ordinance, issue general obligation bonds to an amount not exceeding that authorized by the general laws of Ohio, now in effect or hereafter enacted, for any purpose for which bond issues are authorized by state law. Issuance of general obligation bonds beyond the limitations imposed on Council by state law and the state constitution, shall be dependent upon the approval of such issuance by the voters, as provided by law. Mortgage revenue bonds, special assessment bonds and all other notes or bonds exempted by statute shall not be included in calculating the net debt.

SECTION 6.04 MORTGAGE REVENUE BONDS.

The Council may, by ordinance, issue mortgage revenue bonds for any purpose and in any total amount authorized by the state constitution or laws of Ohio.

SECTION 6.05 SPECIAL ASSESSMENTS.

Special assessments may be levied by Council to pay any part of the cost of any public work or improvement authorized by ordinance. Such assessments shall be made and levied in accordance with the provisions and subject to the limitations prescribed in the Revised Code of the State of Ohio.

SECTION 6.06 TAX ANTICIPATION NOTES.

The Council may, by ordinance, issue notes in anticipation of the collection of taxes on whatever conditions may seem reasonable. Such notes shall be paid from the tax receipts of the year in which they are

issued.

SECTION 6.07 EMERGENCY BORROWING.

The Council may, by ordinance, borrow money and issue notes in case of public emergency as authorized by the Ohio Revised Code.

SECTION 6.08 PROCEDURE IN BOND ISSUES.

The procedure followed in authorizing and issuing bonds and notes and applying the proceeds shall be in accordance with the provisions of the Uniform Bond Law of the State of Ohio in effect at the time.

ARTICLE VII FINANCE

SECTION 7.01 ANNUAL TAX BUDGET.

In the form and at the time required by law, the City Manager shall submit to the Council a tax budget for the ensuing fiscal year. For that purpose, at such time as the City Manager shall determine, the City Manager shall obtain from the head of each department or agency of the City plans for the work to be undertaken by such department during the next fiscal year, together with estimates of the cost of performing such work. The Department of Finance shall gather data from all departments and supply the City Manager with estimates of available revenue. From these data, the City Manager shall prepare the consolidated estimates for the annual tax budget. The Council shall consider these estimates and adopt them, with or without amendments, as the tax budget of the City for the ensuing year, and transmit them to the County Budget Commission in the form required by law.

SECTION 7.02 PREPARATION OF ANNUAL CITY BUDGET.

The City Manager shall prepare and submit to the Council each year a budget estimating the total contemplated work program and expenditures from each fund during the ensuing fiscal year. Expenditures shall not exceed the total recommended appropriations from each fund and the total estimated resources certified by the County Budget Commission and the County Auditor. Council may request the City Manager prepare a five (5) year planning budget. Such budget shall serve as the basis for the annual appropriation ordinance.

SECTION 7.03 OTHER PROCEDURES.

In all other respects the procedure for the preparation, advertising, hearing and adoption of the budget and the appropriation of municipal funds shall be governed by the general laws of the State of Ohio pertaining to such matters. Amendment to the annual appropriation ordinance shall be governed by the general laws of the State of Ohio

pertaining to such matters.

SECTION 7.04 FISCAL YEAR.

The fiscal year of the City shall be the calendar year, beginning January 1 and ending December 31 each year.

SECTION 7.05 CAPITAL IMPROVEMENT RESERVE FUND.

Council may create and maintain a Capital Improvement Reserve Fund, and may from time to time transfer or appropriate thereto all moneys accruing to any other fund of the municipality not needed for the purposes of such fund and available for transfer under general law.

The unencumbered balance remains in the general fund of the municipality at the end of any fiscal year may also be transferred. Moneys in the Capital Improvement Reserve Fund shall not be expended for any purpose except to purchase equipment, apparatus or other property, or to construct buildings, structures, roads and other property or public improvements, needed for the use of the municipality, or to pay bonded obligations of the municipality by means of transfer to its bond and interest retirement fund.

ARTICLE VIII BOARDS AND COMMISSIONS ~~CIVIL SERVICE COMMISSION~~

PERSONNEL APPEALS BOARD

SECTION 8.01 PERSONNEL APPEALS BOARD

~~There shall be a Personnel Advisory & Appeals Board consisting of three qualified electors of the City who shall be appointed by the Council for three year terms. Council shall fill vacancies by appointment for the unexpired term. Each member shall neither hold nor be a candidate for any other public office nor be employed by the City.~~

~~The City and the Personnel Advisory & Appeals Board shall have no jurisdiction over, nor be obligated to perform any duties with regard to employees of the Talawanda City School District.~~

SECTION 8.02 POWERS AND DUTIES

The Board shall have the power to hear and determine appeals of disciplinary actions, suspensions, demotions or removal of City nonexempt employees if such matters are not resolved upon a hearing and determination by the City Manager.

The Board shall serve without compensation and shall hear appeals from any nonexempt employee who has successfully completed a probationary period, or applicant for non-exempt position who has successfully completed a probationary period, upon such issues as may be subject to appeal as defined by rules established pursuant to this section. The board shall have the power to subpoena witnesses and require the production of records. The decision of the Board shall be final.

PLANNING COMMISSION

SECTION 8.03 PLANNING COMMISSION.

There shall be a City Planning Commission consisting of seven members, two of whom shall be members of Council, elected by Council for a term of one year; and five citizen members, appointed by Council from among the qualified electors of the city. The five citizen members shall serve five year overlapping terms of office. Citizen members of the Planning Commission shall hold no other incompatible public office.

SECTION 8.04 POWERS AND DUTIES.

The Planning Commission may act as the Platting Commission of the municipality. As such, it shall provide for planning, zoning and regulations covering platting of all lands which are subject to control by the municipality, and shall cause an official map of such territories to be made. The Commission shall carry out the comprehensive plan and make such investigations, reports and recommendations relating to planning and the physical development of the City as it finds necessary and desirable.

BOARD OF ZONING APPEALS

SECTION 8.05 BOARD OF ZONING APPEALS.

There shall be a Board of Zoning Appeals consisting of five electors of the city, appointed by Council to serve for a term of three years. The Board shall establish its own rules of procedure and keep a record of its proceedings in all matters coming before the Board. No resolution overruling an action under or interpretation of the zoning ordinance by any administrative officer of the City shall be adopted except by the affirmative vote of three members of this board.

SECTION 8.06 POWERS AND DUTIES.

The board shall have the power to hear and determine appeals from refusal of building permits and to permit exceptions to and variations from the zoning regulations in individual cases as may be required to afford justice and avoid unreasonable hardship to property owners.

The standards in all instances to be applied by the board shall be established by ordinance of Council.

RECREATION BOARD

SECTION 8.07 RECREATION BOARD.

There shall be a Recreation Board appointed by Council consisting of five members. Appointments shall be made for a three-year term of office. The Recreation Board shall recommend to Council future plans and development of playgrounds, parks and recreational facilities and programs for the City. The Recreation Director shall be appointed by the City Manager.

OTHER BOARDS

SECTION 8.08 OTHER BOARDS AND COMMISSIONS.

In addition to the foregoing boards and commissions, Council may create and abolish such other advisory boards, commissions and committees as may be deemed necessary.

SECTION 8.09 CITY MANAGER EX-OFFICIO MEMBER.

The City Manager or designee shall be an ex-officio member without vote of all boards and commissions created by or under authority of this Charter, except the ~~Civil Service Commission~~ Personnel Appeals Board.

SECTION 8.10 REMOVAL FROM OFFICE.

Council shall declare vacant an appointed official's office by a majority vote of all members of Council for any of the following reasons.

1. One who is absent without justifiable excuses for three (3) consecutive regular meetings.
2. One who shall be convicted of a crime involving moral turpitude or any felony.
3. One who shall be convicted of any other provision of the state laws as applicable to public officials for which the penalty includes forfeiture of office.

ARTICLE IX NOMINATIONS AND ELECTIONS

SECTION 9.01 MUNICIPAL ELECTIONS.

The regular municipal election for the choice of members of the Council

shall be held on the first Tuesday after the first Monday in November in the odd numbered years. The Council may, by resolution, order a special election at any time, the purpose of which shall be set forth in the resolution.

SECTION 9.02 CONDUCT OF ELECTIONS.

Both regular and special municipal elections shall be conducted by the Board of Elections of Butler County, Ohio, under the provisions of this Charter. Where the Charter is silent, the provisions of the state election law shall be followed.

SECTION 9.03 NOMINATIONS.

No primary election shall be held for the nomination of candidates for the Council. Nominations for the office of Council member shall be made by petition signed by not less than 50 nor more than 100 electors of the City. Petitions shall be the standard forms for the nomination of individual nonpartisan candidates for such office. Group petitions shall not be used. Petitions shall be filed with the Board of Elections in accordance with the current laws of the State of Ohio. An elector may sign only as many petitions as there are Council members to be elected at the municipal election for which the nominations are made.

SECTION 9.04 ACCEPTANCE AND VERIFICATION.

The signature of the candidate indicating acceptance of the nomination and willingness to serve if elected shall appear on each copy of the petition. The petition may be in a number of parts, but each part shall be verified under oath by the circulator, as required by law.

SECTION 9.05 BALLOTS.

The full names of all candidates nominated shall be printed on the official ballot without party designation. If two candidates with the same surname, or with names so similar as to be likely to cause confusion are nominated, the addresses of their places of residence shall be placed below their names on the ballot. The names of all candidates shall be rotated on the ballot as provided by law.

SECTION 9.06 WRITE-INS.

Only in the event that fewer candidates are nominated by petition than there are Council members to be elected at the ensuing election shall space be provided on the ballot for the writing in at the election of the names of additional persons.

~~**SECTION 9.07 WATCHERS AND CHALLENGERS.**~~

~~At each municipal election, each regularly nominated candidate shall be~~

~~entitled, on written application to the Board of Elections at least ten days before the election, to appoint one person and one alternate to represent such candidate as a watcher and challenger at each polling place during the casting and counting of ballots, and one person and an alternate to represent such candidate as watcher and challenger during the canvas of votes at the Board of Elections.~~

SECTION 9.08 07 ELECTION.

The candidates for member of Council at the regular municipal election, equal in number to the places to be filled on Council, who received the highest number of votes shall be declared elected.

SECTION 9.07 08 RECALL.

Members of Council may be removed from office before the expiration of their term by the qualified voters of the city. The procedure for such recall shall be that provided in the Ohio Revised Code.

**ARTICLE X
GENERAL PROVISIONS**

~~**SECTION 10.01 OATH OF OFFICE.**~~

~~Every officer and employee of the City shall, before entering upon public duties, take and subscribe to the following oath or affirmation which shall be filed and kept in the office of the Clerk of Council:~~

~~I solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Ohio and will obey the laws thereof and that I will, in all respects, uphold and enforce the provisions of the Charter and ordinances of this city, and will faithfully discharge the duties of _____ upon which I am about to enter.~~

SECTION 10.01 OFFICIAL BONDS.

All officers and employees of the City whose duties require them to handle municipal and other public money or property shall furnish a corporate surety bond issued by a company authorized to do business in Ohio, to protect the City against loss due to their acts. The amount of the bond in each case shall be determined by Council and the premium on such bonds shall be paid from the funds of the City. All such bonds shall be filed with the Clerk of Council.

SECTION 10.02 PERSONAL INTEREST.

No member of the Council or any officer or employee of the City shall have any financial interest, direct or indirect, in any contract with or sale to the City of any materials, supplies or services, or any land or

interest in land. A person who knowingly and willfully violates this section shall be guilty of malfeasance in office and upon conviction thereof shall be removed from office.

Any contract or agreement made in violation of this section shall be voidable at the election of the Council.

SECTION 10.03 REMOVAL FROM OFFICE; DISQUALIFICATION.

Whenever, in this Charter certain acts on the part of City officials are described as constituting malfeasance in office, the procedure for complaint, trial and judgment thereon shall be that prescribed in the Ohio Revised Code.

SECTION 10.04 AMENDMENTS TO THE CHARTER.

This Charter may be amended as provided in Article XVIII, Section 9, of the Ohio Constitution, by submission of a proposed amendment to the electors of the municipality and approved by a majority of those voting on the question of its adoption.

Such amendment may be initiated by either a vote of at least five (5) members of Council, or by petition to the Council signed by ten (10) percent of the voters who voted at the preceding election for the office of Governor.

At the first meeting of the Council in January 1996 and every ten (10) years thereafter, Council shall appoint a commission of not less than five (5), nor more than nine (9) electors of the municipality, to include one (1) but no more than two (2) current City Council members. It shall be the duty of the commission to review the existing Charter and make such recommendations for revision as it may see fit. The City Solicitor shall provide advice and counsel as needed by the Commission.

The Commission shall submit its written report to Council at an open meeting not later than December 31 of the same year. Thereupon, the Council may take such action as it deems warranted with respect to such recommendations.

In the event two (2) conflicting amendments to the Charter are approved at the same election by a majority of the total number of votes cast, the one receiving the highest number of affirmative votes shall be the amendment to the Charter.

SECTION 10.05 SEVERABILITY CLAUSE.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter, which would have been adopted without the invalid portion of such invalidity could have been known at the time of its original adoption.

ARTICLE XI
TRANSITIONAL PROVISIONS

SECTION 11.01 FISCAL SUCCESSION AND VESTED RIGHT.

The City of Oxford, under this Charter, is hereby declared to be the legal successor of the Village of Oxford, under the general laws of the State of Ohio; and as such it has title to all property, real, personal, and mixed, owned by its predecessor, including all moneys on deposit and all taxes in process of collection together with all accounts receivable and rights of action. Adoption of the Charter or any amendments of it shall not impair rights vested in the City nor discharge any liability previously incurred by the City.

~~The City of Oxford under this Charter is hereby declared to be the only legal successor of the City of Oxford under the general law and as such the City has title to all property, real and personal, owned by its predecessor including all moneys on deposit and all taxes in the process of collection, together with all accounts receivable and rights of action. The City also is liable for all outstanding orders, contracts and debts of its predecessor, and for any other obligations for which it may be held liable, as such successor, by any court of competent jurisdiction.~~

~~**SECTION 11.02 CONTINUATION OF ORDINANCES.**~~

~~All ordinances of the City in effect at the time of adoption of this Charter shall remain in effect, except as superseded by the provisions of this Charter, until they are amended or repealed.~~

~~**SECTION 11.03 CONTINUATION OF OFFICERS.**~~

~~All persons holding office at the time this Charter takes effect shall continue in office and in the performance of their duties until provision shall have been made, in conformity with the Charter, for the performance of such duties by a successor, or the office is abolished.~~

~~**SECTION 11.04 CONTINUANCE OF EMPLOYEES.**~~

~~Every employee of the City government when this Charter takes effect shall be retained in such employment and shall thereafter be subject in all respects to the provisions of this Charter.~~

~~**SECTION 11.05 TRANSFER OF RECORDS AND PROPERTY.**~~

~~All public records and property in the custody of officers and employees of the City shall be transferred and delivered promptly to their~~

~~successors, upon termination of tenure of office or employment.~~

~~SECTION 11.06 CONTINUANCE OF CONTRACTS AND PUBLIC IMPROVEMENTS.~~

~~All contracts entered into by the City or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws existing at the time this Charter takes effect shall be completed, as nearly as practicable, under the provisions of such laws.~~

~~SECTION 11.07 PENDING ACTIONS AND PROCEEDINGS.~~

~~No action or proceeding, civil or criminal, pending at the time when this Charter shall take effect, brought by or against the City or any office, agency or officer thereof, shall be abated or affected by anything herein contained, but all such actions shall be prosecuted or defended under the laws in effect when they were filed.~~

~~SECTION 11.08 WHEN CHARTER TAKES EFFECT.~~

~~This Charter shall be voted upon at the general election held November 5, 2013, and will take effect on adoption if approved by the voters.~~