



OXFORD CITY COUNCIL

Meeting Minutes

Monday, August 30, 2021

A Special meeting of the Oxford City Council was called to order by Mayor Mike Smith on Monday, August 30, 2021 at 6:30 p.m. Members present were: Jason Bracken, Glenn Ellerbe David Prytherch, Chantel Raghu, William Snavely and Edna Southard.

Staff members present were Doug Elliott, City Manager; Jessica Greene, Assistant City Manager; Mike Dreisbach, Service Director; Joe Newlin, Finance Director; John Jones, Police Chief; John Detherage, Fire Chief; Chris Conard, Law Director and Mary Ann Eaton, Clerk of Council

APPROVAL OF AGENDA

Mr. Snavely moved to approve the agenda. Ms. Southard seconded. The motion passed 7-0-0.

Approval of Agenda.

PUBLIC PARTICIPATION

PUBLIC COMMENTS

There were no comments from the public.

Resolution.

RESOLUTION VACCINE POLICY

A Resolution No. 7327 authorizing and directing the City Manager to implement a Covid-19 Vaccination Policy for City of Oxford employees. (Doug Elliott, City Manager)

Staff Report/Resolution

Doug addressed the Resolution. Chantel and Jason had questions. Jason will testing be adequate. Doug addressed. Jason test 2 times a week.

Mr. Elliott advised staff was recommending the proposed Resolution to protect the health, safety and well being of City employees and the public. Mr. Elliott noted the policy is a recommendation to have a vaccination, employees will provide the information if they are

vaccinated and if they are not they will be required to undergo weekly testing. Mr. Elliott recommended Council adopt the Resolution so the policy can be implemented.

Mr. Bracken inquired what the cost was per test. Ms. Greene advised \$16 for the rapid test using the City's wellness provider and an \$85 test can be used for travel. Ms. Greene noted staff was exploring using a local pharmacy and having a standing contract with them. Ms. Greene advised the law department recommended the City pay for both the employees time and the cost of the test because of the bargaining units and the fixed healthcare costs with that.

There were no comments from the public.

Ms. Raghu referred to a policy of Delta Airlines whereby employees who elect not to get vaccinated are paying \$200 per month to offset the healthcare costs and inquired if staff considered something like this for City employees. Mr. Elliott advised staff did discuss that possibility noting the City has 3 police contracts and the amount those members pay for health insurance is fixed. Mr. Elliott noted he would not recommend implementing something which would not apply to all employees.

Mr. Bracken inquired if weekly testing was vigilant enough noting if someone had symptoms and does not come to work or is asymptomatic a weeks worth of exposure to others employees and the public is a detriment to the public health. Mr. Bracken inquired if the testing costs directly could be attributed to the employee who does not have a medical exemption. Mr. Elliott advised the policy was not provided as an attachment to the Resolution because staff may choose to amend it. Mr. Elliott noted right now he does not know how many employees are vaccinated. Mr. Elliott advised once the proof of vaccination has been submitted from everyone staff will monitor the situation very closely because it is a concern.

Mr. Prytherch inquired what risk there was for the City with unvaccinated employees. Mr. Elliott advised if someone became sick and was hospitalized with severe symptoms of Covid it could run into the several hundred thousand dollar range. Mr. Elliott noted the City has a self-insured program and presently have a fund balance of approximately \$700,000. Mr. Elliott advised if the City took a big hit for insurance costs the benefit level would have to be decreased. Mr. Prytherch thanked staff for implementing a policy noting he felt it was prudent on many levels.

Mr. Bracken suggested increasing the testing to twice per week. Mr. Elliott advised staff will track the situation and will adjust the testing as necessary.

Ms. Southard moved to adopt Resolution No. 7327. Mr. Snavelly seconded. The motion passed 7-0-0.

ORDINANCE **FACE COVERING REQUIREMENTS**

First Reading – None.

Second Reading.

An Ordinance No. 3633 Requiring Face Coverings Inside Any Public Space Within The City Of Oxford, Ohio, To Limit The Spread Of Covid-19, And Declaring An Emergency. (Doug Elliott, City Manager).

Staff Report/Ordinance

Mr. Elliott noted Council had the Ordinance which received a First Reading on August 17 before them and advised there were not enough Council members present to adopt the proposed Ordinance as an emergency measure. Mr. Elliott noted an alternative Ordinance was provided to Council this evening as an option which includes 2 changes, the phrase *including outdoor seating for such facilities* being stricken and the phrase *if a patron is not seated at his or her table or at the bar a face covering is required* being stricken. Mr. Elliott advised if Council wished to consider the alternative language a motion would be needed to substitute the alternative and if not the original Ordinance was on the agenda.

Mayor Smith opened the meeting for public comments and advised if citizens sent an electronic comment there was no need to reiterate that as Council received all of them all, for and against the proposed Ordinance.

Mr. Landon Halverson, 5262 Brown Road, spoke in opposition to the proposed Ordinance as written.

Ms. Kathie Brinkman, 404 Emerald Woods Drive, spoke in favor of the proposed Ordinance.

Mr. Nicholas Perry, 350 Western College Drive, spoke in opposition to the proposed Ordinance.

Mr. Patrick Goggin, 10 N. Beech Street, provided various Covid-19 statistics and asked Council to make a decision based on the best interest of the students, the residents and the businesses.

Mr. Caleb Schlenker, 200 E. High Street, spoke in opposition to the proposed Ordinance.

Mr. Tate Prows, corner of Chestnut Street and Kehr Road, spoke in opposition to the proposed Ordinance.

Ms. Heidi Schran, 319 W. Withrow Street, spoke in favor of the proposed Ordinance.

Mr. Johnny Drew, 401 E. Church Street, spoke in opposition to the proposed Ordinance.

Mr. Cameron Finke, 210 W. Sycamore Street, spoke in opposition to the proposed Ordinance.

Ms. Megan Smith, 318 E. Walnut Street, spoke in opposition to the proposed Ordinance.

Ms. Ava Kunar, 301 N. Poplar Street, did not speak in favor of or in opposition to the proposed Ordinance and advised she did not feel it would be effective if adopted.

Mr. Andrew Santacroce, 117 N. Bishop Street, spoke in opposition to the proposed Ordinance.

Mr. John Cavanaugh, 320 Tallawanda Road, spoke in opposition to the proposed Ordinance.

Ms. Amy Shaiman, 11 Heather Ridge Court, spoke in favor of the proposed Ordinance. Ms. Shaiman requested that Council consider following the CDC guidelines and requiring masks for children down to two years old.

Mr. Ron Silico, 6244 Hester Road, spoke in opposition to the proposed Ordinance. Mr. Silico noted his hope Council could speak to the issue of exemptions as well as the process of citation.

Ms. Raghu thanked members of the public for being in attendance. Ms. Raghu advised she was unable to attend the last meeting because her father was in the hospital with the Delta variant. Ms. Raghu noted watching her father almost die makes this really real, as he is vaccinated, he had a breakthrough case and almost died. Ms. Raghu advised she felt lucky he was in the hospital for 8 days and he is home now with a small amount of oxygen. Ms. Raghu noted the next day her mother was in the hospital for several days and luckily she was alive although still

on a lot of oxygen at home. Ms. Raghu advised this was not about restricting people or keeping them from doing things it was about keeping you out of the hospital and maybe making it so you do not have to watch your parents almost die. Ms. Raghu addressed several questions raised by members of the public. Ms. Raghu provided a video that demonstrates how Covid-19 is spread, what happens when people talk, breathe or cough, and how wearing a mask that fits properly helps in preventing the spread.

Mr. Snavely moved to substitute the Alternative Ordinance provided by the City Manager for the Ordinance published in the agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

Mr. Ellerbe noted he felt his job as a Councilor was to manage the risk of everyone in this town. Mr. Ellerbe recommended lowering the age for exemption to 3-4 years of age. Mr. Ellerbe advised he felt there was a large piece of this legislation that was missing. Mr. Ellerbe noted it ignores the most important and best defense we have against the virus which is vaccination. Mr. Ellerbe advised he felt if individuals are vaccinated they should be rewarded for that behavior and incentivized with the legislation which brings people choice. Mr. Ellerbe noted if people choose not to be vaccinated Council wants them to wear a mask in the City of Oxford. Mr. Ellerbe discussed several Covid-19 statistics within Butler County and addressed some concerns raised by members of the public. Mr. Ellerbe advised he would like to pass the proposed Ordinance with 2 amendments, lowering the exemption age to 3 or 4 years of age and adding an exemption for vaccinated individuals who can prove they are vaccinated.

Mr. Ellerbe moved to amend article b. in Section 3 from under 6 years old to under 2 years old. Mr. Snavely seconded. The motion passed 7-0-0.

Mr. Ellerbe moved to add that anyone who can show proof of vaccination be added to the list of exemptions.

Ms. Raghu advised there were breakthrough cases of the Delta variant even if people are vaccinated noting her father was fully vaccinated.

Mayor noted concerns with the proposed amendment and advised there was a lot of press lately about how easy it was to falsify vaccination cards.

Mr. Bracken agreed with both comments and noted both will be abused, many will ignore the mask ordinance and many will falsify a vaccination card.

After a lengthy debate including the possibility of applying the exemption to only certain types of businesses, Mr. Prytherch inquired if there was a second to Mr. Ellerbe's motion.

Mr. Snavely noted he felt Council wanted to incentivize vaccination and advised he was heartened to hear Miami University would be moving toward a vaccine requirement. Mr. Snavely noted the proposed legislation already excuses a lot of people and situations and outlined Section 3 of the legislation.

Ms. Southard advised the exemptions are already there noting she did not feel it was Council's role to reward people for behavior, their role was to pass legislation that protects society and protects public health. Ms. Southard advised she felt masks are needed to protect children, the unvaccinated and immunocompromised of which there are many. Ms. Southard noted one reason Oxford has not had a surge of cases is because people have been very cautious. Ms. Southard advised she read approximately 500 electronic comments that were sent regarding this issue and noted some of the comments were really about having fun and enjoying the college experience. Ms. Southard noted she felt we all have to care about the welfare of each other.

Mr. Prytherch advised if everyone voluntarily wore a mask as is recommended by the CDC Council would not have to have this discussion. Mr. Prytherch noted a piece of cloth on the face in combination with the vaccine is a way to have as normal a life as we can expect. Mr. Prytherch advised he felt this was a reasonable compromise and it is economically smart for this town. Mr. Prytherch noted he wanted to avoid the occupancy reductions that hurt businesses. Mr. Prytherch advised Council is elected to act in the best interest of the entire

community which they weigh carefully.

Mr. Bracken seconded the motion made by Mr. Ellerbe.

After further debate the motion failed by the following roll call:

Aye: Mr. Ellerbe, Mr. Bracken (2)

NAY: Mr. Prytherch, Ms. Raghu, Mr. Snavelly, Ms. Southard, Mayor Smith (5)

ABS: None (0)

Ms. Southard moved to adopt Ordinance No. 3633. Mr. Prytherch seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Mr. Snavelly, Ms. Southard, Mr. Bracken, Mayor Smith (6)

NAY: Mr. Ellerbe (1)

ABS: (0)

Mr. Prytherch thanked anyone who is involved in this ordinance and its compliance and enforcement noting the police department is not enthused about it and the business community has anxieties because it would put some onus on them. Mr. Prytherch noted Council wanted voluntary compliance noting his hope it would be a team effort.

An Ordinance Requiring Face Coverings Inside Any Public Space Within The City Of Oxford, Ohio, To Limit The Spread Of Covid-19, And Declaring An Emergency. (Doug Elliott, City Manager)

D

Kathie Brinkman. Landon _____. Remote schooling. Indoor mandate she supports. Wearing mask in public is small. Nichlods Perry. He is vaccinated. believes in personal liberties. Government is not here to babysit. MU is around the corner from mandating vaccine. Businesses have suffered tremendously. Patrick Goggin North Beech Street. Butler County deaths 625. Zip code numbers are going down. Median age if 70 something. Kaleb Schlinker has doubts the Ordinance will help. The act of mandating is wrong. Its wrong to support _____. Free will to choose. Purposed of this meeting was to pass the ordinance. Tate Prows, trranny are at our doorsteps. My rights come from God not council. Your oath means nothing. Heidi Schran W. Withrow. This is a public health issue.

Heidi Schran - masks work. Talawanda students dont mask uptown Johnny _____. the Ordinance might have opposite effect. Camerson Finkey Sycamore Street. Are any of you medical doctors? Passing this is unconstitutional Megan Smith _____ interns at Cleveland Council. How will we support the businesses. Should be the businesses decision. We make up the majority of Oxford. Ava Conard does not think it will be effective. Students will congregate. Want to spend time in Oxford. Won't be effective. Might have negative effect. Andrew works at Dobies. Mandates are are not effective. Mask mandate is hard to enforce. John Cavanaugh 320 Talawanda Road has family in Costa Rica. think what it does for businesses. Students will still mass gather. Amy Shaiman, spoke in favor of the Ordinance. Wants town to be safe and viable. Need mandate. 6244 Hester Ron Silico, single layer masks are not effective. Troubled - when does it end. how

Ron Silico - how many boosters will there be? Masking, vaccines is all that talked about.

Chantel thanked everyone for coming. Her Dad almost died. Her Mom is still on oxygen. This is not about restricting people. This is about keeping people out of the hospital. It should be over when hospitals aren't full. The vaccine doesn't have long life. What Talawanda is doing is working. It sucks. Video when people talk and breath. Chantel provided a video showing how

masks do work. Fly out like droplets. Masks can reduce spread of covid. It can go undetected. Glenn amend down to 4 years old. Large piece of language missing. If vaccinated don't have to wear mask.

Chris talked about mask mandate Glenn - exempt vaccinated people. David - I'll listen to the CDC. Jason - talked about economics of this.

Chantel thanked everyone Glenn - hates _____. Im trying to manage risks and why I didn't vote for it. Edna - thanked everyone Jason - Wants Miami to move up date for vaccination David - thanked Police and staff. Wanted to act on this quickly MIke echoes other councilor

ANNOUNCEMENTS

Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

Future Meetings.

Ms. Raghu thanked everyone and noted making a call that is this controversial is the last thing Council wants to do. Ms. Raghu advised she truly believes everyone cares about each other and wants to do the right thing. Ms. Raghu advised she knows this will save lives noting Council was doing the unpopular thing although history will show it is the safe thing.

Mr. Ellerbe advised one thing he hated more than anything in the world was sophistry. Mr. Ellerbe noted he was trying to manage the risks in this town and try to make this town as fun as possible. Mr. Ellerbe advised he was in favor of certain items in the ordinance and he was not in favor of other items which is why he chose to vote no. Mr. Ellerbe noted he believed there was an acceptable risk Council could have taken and they chose not to because of various opinions.

Ms. Southard thanked everyone who worked on the ordinance and thought about the ordinance noting Council has many other things they are working on. Ms. Southard advised the City continues to do well and to try to take care of its citizens. Ms. Southard noted Council was doing this not because they have an axe to grind or because they have a secret or hidden agenda. Ms. Southard advised Council was elected by the citizens and they were trying to do their best.

Mr. Bracken advised he wanted to address parts of the potential vaccine mandate at Miami University. Mr. Bracken noted he felt the deadline at the end of the semester is way too late as it will be after people have visited their families for Thanksgiving and come back. Mr. Bracken advised he would like Miami to consider moving that deadline up especially for the first vaccination. Mr. Bracken noted he would also like any conscientious objector loopholes removed.

Mr. Prytherch thanked OPD and anyone involved in enforcing the ordinance. Mr. Prytherch thanked anyone who is here on a Monday night that was not supposed to be, staff and the public included. Mr. Prytherch advised he felt it was important for many of Council that they act as quickly as possible because time is of the essence.

Mayor Smith echoed the sentiments and advised he appreciated everyone who came out on a Monday night and everyone who spoke as it was very helpful. Mayor Smith noted his hope if this ordinance keeps only one person out of the hospital it was worth doing. Mayor Smith advised Council was here because these decisions are hard and Council is going to error on the best side of caution. Mayor Smith noted he was sorry if it inhibits some people from drinking wildly Uptown with a mask. Mayor Smith advised unfortunately the student population needs to be babysat and referred to the large amount of police and fire runs on Thursday, Friday and Saturdays. Mayor Smith noted his hope in another few months we can get past this and in a few years we will not remember we had to wear masks.

WED - Sept 8 Historic & Architectural Preservation Commission Meeting 6:15 p.m.

THUR- Sept 9 Recreation Board Meeting 11:30 a.m. Municipal Building

MON - Sep t 13 Oxford Parking & Transportation Advisory Board 9:30 a.m. Municipal Bldg.

THUR - Sept16 Climate Action Steering Committee Meeting 9:30 a.m. Leonard Howell Park

MON - Sept 20 Housing Advisory Commission Meeting 1:30 p.m. Municipal Building

TUES - Sept21 City Council Meeting 7:30 p.m.

ADJOURN

Mr. Snavelly moved to adjourn at 8:21 p.m. Ms. Southard seconded. The motion passed 7-0-0.

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