



AGENDA
OXFORD CITY COUNCIL REGULAR MEETING
COURTHOUSE

TUESDAY, APRIL 2, 2024 AT 7:30 PM

William Snavelly, Mayor

Chantel Raghu, Vice-Mayor
Jason Bracken
Michael Smith

Amber Franklin
Alex French
David Prytherch

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

1. Roll Call.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Public Participation.
 - A. Presentation - Age Friendly Oxford, Ms. Jennifer Heston-Mullins
 - B. Appointments to Boards and Commissions
 - C. Discussion Item - Use of Force Report by Special Counsel

D. Public Comments

The purpose of the public comments section is for members of the public to speak to the City Council on any subject not scheduled on the Agenda, except consent agenda items. To speak, you may approach the podium and wait to be addressed by the Mayor. You will need to state your name and address for the public record. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff, or other members of the public, and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

5. Consent Agenda.

All matters under the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

- A. Minutes of the March 19, 2024, City Council Meeting (Heather Barbour, Clerk of Council)
- B. A Resolution Declaring Certain City Property No Longer Needed For Any Municipal Purpose as Surplus and Authorizing its Advertisement and Sale to the Highest Bidder at Public Auction or Internet Auction. (Lt. Geoff Robinson, Division of Police)

6. Resolutions.

- A. A Resolution Placing A Moratorium, Not To Exceed Twelve (12) Months, On Alley Development Within The City Of Oxford, Ohio. (Sam Perry, Community Development Director)
- B. A Resolution Authorizing The City Manager To Develop A Design And Cost Estimation Proposal For A Permanent Public Restroom In The Dr. Martin Luther King Jr. Uptown Park. (Sam Perry, Community Development Director)
- C. A Resolution Opposing Partisan Gerrymandering and Supporting a Proposed "Citizens Not Politicians" Initiative for Balanced Legislative Districts in Ohio. (David Prytherch, Councilor)
- D. A Resolution Accepting the Insurance Bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's Property and Casualty Insurance Coverage for 2024. (Heidi Hill, Finance Director)

7. Ordinances.

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

A. First Reading

1. An Ordinance Amending Ordinance No. 3750 Supplemental Budget Ordinance #2 to Make Supplemental Appropriations for Fiscal Year 2024. (Heidi Hill, Finance Director)

B. Second Reading

8. Announcements & Communications.

A. 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.

B. Future Meetings.

(Note: Meetings are held at the Court House unless otherwise indicated.)

DATE	Meeting		
1.	Date	Meeting	Location Time
	Apr 3	Environmental Commission	Municipal Building 7:00 p.m.
	Apr 4	Housing Advisory Commission	Municipal Building 5:00 p.m.
	Apr 8	Oxford Recreation Board - CANCELED	Municipal Building 11:30 a.m.
	Apr 9	Oxford Parking & Transportation Advisory Board	Municipal Building 8:30 a.m.
	Apr 10	Historic & Architectural Preservation Commission	Courthouse 6:15 p.m.
	Apr 15	Public Arts Commission of Oxford	Municipal Building 4:15 p.m.
	Apr 16	City Council	Courthouse 7:30 p.m.
	Apr 17	Board of Building Appeals	Courthouse 5:30 p.m.
	Apr 23	Board of Zoning Appeals	Courthouse 6:30 p.m.

May 2	Housing Advisory Commission	Municipal Building	5:00 p.m.
May 7	Records Commission	Municipal Building	4:45 p.m.
May 7	City Council	Courthouse	7:30 p.m.

9. Adjourn.

Appointment to Board or Commission

April 2, 2024

<u>Current Member</u>	<u>Term Expiring</u>	<u>Current Term End Date</u>	<u>Applicants</u>	<u>Appoint</u>	<u>Term</u>
	<u>Ending Date</u>				

Butler County Board of Health (3 Years)

Dr. Molly Emmert
February 28, 2027

March 1, 2024

Dr. Molly Emmert



Public Health
Prevent. Promote. Protect.

Butler County
General Health District

March 22, 2024

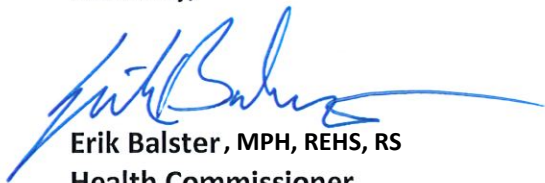
Ms. Heather Barbour
Clerk of Council
City of Oxford
15 South College Avenue
Oxford, OH 45056

Re: Re-Appointment to Board of Health

Ms. Barbour,

The Butler County General Health District is requesting that the City of Oxford make their required appointment to the Board of Health. Dr. Molly Emmert has given her consent to serve another 3-year term beginning March 1, 2024 and ending February 28, 2027.

Sincerely,



Erik Balster, MPH, REHS, RS
Health Commissioner

EB/kg

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

On January 22, 2024, through the Office of the City Law Director, the City of Oxford engaged us to investigate the actions of the Oxford Police Department with respect to the use of force by City of Oxford Police Department Officer Matthew Blauvelt on November 18, 2023, at the Brick Street Bar in the City of Oxford. There were four (4) essential components to the scope of our engagement:

1. Review the City of Oxford Police Department Policy Manual, and conduct all necessary interviews, in the Firm's sole discretion.
2. Review all records, reports, video, and audio recordings as needed to conduct and complete the investigation.
3. Provide a report to the Law Director, the City Manager and Chief of Police with findings whether there was or was not compliance with departmental policies pertaining to the use of force, and the collecting, recording, preservation, and internal reporting of evidence in a use of force situation.
4. Make any necessary recommendations pertaining to the scope of the engagement. Nothing in this scope of work would limit the Firms' discretion to make recommendations outside of the limited scope of this engagement.

There are two primary areas of focus in this report. First, did the actions of Oxford Police comply with the Policy Manual provisions regarding the use of force? Second, did the actions of Oxford Police comply with unwritten internal policies and good police practice regarding the collecting, recording, and preservation of evidence, specifically the video downloads from the cameras at the Brick Street Bar, and the internal reporting of that evidence in this use of force situation?

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

I. USE OF FORCE

The Oxford Police Department Policy Manual ("Manual") adopts the philosophy that the use of force is a practical component of police work. However, a police officer should limit use of force to only reasonably necessary force. Rather than being a discernable bright line applicable to every situation, the use of force is a case-by-case continuum of only that amount of force necessary to accomplish a legitimate law enforcement purpose. When use of force is justified, the subject of the force will typically dictate the amount of force used on them.

Policy 300, specifically §300.3 of the Policy Manual of the Oxford Division of Police, entitled "USE OF FORCE" states:

"Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this division. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force."

The Oxford policy on use of force complies with the prevailing law articulated by the United States Supreme Court in the seminal case of *Graham v. Connor*, 490 U.S. 386, 109 S.Ct.1865, 104 L.Ed.2d 443 (1989). Indeed, the language in the Oxford use of force policy mirrors the *Graham* court's decision. But *Graham* goes a step further and gives instruction to persons investigating and reviewing police conduct in use of force situations. The Supreme Court directed that "all claims that law enforcement officers have used excessive force – deadly or not – in the course of an arrest, investigatory stop, or other 'seizure' of a free citizen are properly analyzed under the Fourth Amendment's 'objective reasonableness' standard, rather than a substantive due process standard."

The objective reasonableness test stated in the *Graham* case is still the national standard, including Ohio, *State v. Jackson*, 171 Ohio St. 3d 412, 2022-Ohio-4365 (2022). Any review of the facts of November 17-18, 2023, in Oxford begins with the conclusion that the Use of Force policy outlined in the Policy Manual of the Oxford Division of Police is based upon sound and prevailing law. The Oxford use of force policy also incorporates what the *Graham* court described as "the calculus of reasonableness", that a police officer's actions must be judged from his perspective on the scene at the time of the event, rather than the 20/20 vision of hindsight, and must embody allowance for the fact that police officers are often forced to make split second judgments in circumstances that are tense, uncertain, and rapidly evolving.

A. NOVEMBER 17-18, 2023

While the ultimate use of force must be viewed from the perspective of what the involved police officers were informed of before their encounter with the subject, and what they observed when they encountered the subject, a review of the facts leading up to the encounter is useful to understand and corroborate those perspectives.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

The Brick Street Bar is a bar and music venue located at 36 E. High St. in Oxford, at the Northwest corner of the intersection with Poplar Street. The Oxford Police Department is located diagonally across High Street at the Southeast corner of the intersection. At a point in time following the 2019 mass shooting in the City of Dayton's Oregon entertainment district, Brick Street management arranged with the Oxford Police Department to have an Oxford police officer available in the immediate vicinity of the bar on weekend nights and other occasions when a high volume of patrons was expected. The bar paid the overtime pay for the detail officer who signed up for the bar detail duty on a particular night. The bar detail officer was technically on duty and subject to the Department's chain-of-command, but the officer's primary detail was to stay close by the bar and armed in the event a situation like what happened in Dayton arose. The officer rarely went inside the bar.

Security inside the bar was the responsibility of Brick Street staff. The bar is a converted theatre and can hold hundreds of persons at any one time, especially on a busy weekend night. Several managers with responsibilities for different operations within the bar, and numerous crowd control staff were on duty the night of November 17-18, 2023. The Crowd Manager that night was JB, and the Bar Manager was RR. Employees carried walkie talkie radios to communicate with one another. The detail officer also had the same walkie talkie radio tuned to one channel dedicated exclusively to him.

Patrons entered the bar either through the front (High St.) entrance, for under-twenty-one patrons, or the side (Poplar St.) entrance, for over-twenty-one patrons. Staff checked the identification of patrons at both entrances who received a form of identification such as a stamp or bracelet to signify their age to the bartenders. There is an outdoor patio area that runs three quarters the length of the building along Poplar St. with a waist high metal fence separating the patio from the sidewalk. North on Poplar from the over-twenty-one entrance on the metal fence is an exit gate that swings one way, outward from the patio into the sidewalk, then locks again when closed. The gate is marked "Exit" on the patio side of the fence.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

A review of the videos, witness statements, and interviews shows the eventual subject of the force, Devin Johnson, unsuccessfully attempted to enter the patio area through the Exit gate from the sidewalk, then walk away. A short time later, two patrons exited the patio through the gate and Johnson moved forward to grab the gate before it closed shut. Johnson then entered the patio through the Exit gate.

Crowd Control employee MR confronted Johnson as he entered the patio, but Johnson continued toward the bar entrance. Crowd Control manager JB and Crowd Control employee LC then confronted Johnson who grabbed LC by the arm and pushed JB. JB pushed Johnson back and out of the Exit gate and onto the sidewalk. For a moment, Johnson was alone on the sidewalk, then he stepped forward towards JB, who was standing just inside the gate on the patio, and the two men became engaged in a struggle onto the sidewalk and down the length of the building, North on Poplar. Other employees followed and joined the struggle and took the two men to the ground on a grassy area near the back of the building. At least three employees, including JB and RR, struggled with Johnson while on the ground. During the struggle, RR used his walkie talkie radio to call the detail officer, Police Officer Matthew Blauvelt. Blauvelt was sitting in his squad car at the Northeast corner of High and Poplar and had not seen the confrontation and knew nothing about the circumstances leading up to it.

Interviewed individually, bar staff shared the common thought that once staff pushed Johnson outside through the Exit gate and back onto the sidewalk, the eviction by them of a perceived gate crasher was completed. They described the ensuing altercation between Johnson and JB as a "struggle" or a "fight," unrelated to their successful eviction of Johnson from the bar. Staff who came outside came "to help" JB. There was no intent to detain Johnson until police arrived. Instead, they were "trying to control him" and "get him off" JB.

According to the video evidence from the bar, the time from Johnson's entry through the Exit gate until JB pushed him back through the gate and onto the sidewalk was 10 seconds. The time from his second engagement with JB at the gate until the men went to the ground at the back of the building was another 15 seconds. RR called

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

detail officer Blauvelt 12 seconds later. Blauvelt arrived approximately 20 seconds after being called.

Police Officer Blauvelt had over 20 years of experience as a police officer on November 17-18, 11 years with the Oxford Police Department. He had worked the Brick Street bar detail "multiple times" before that night but had "never seen an incident like this." He perceived the radio call from RR as "urgent," or "a state of panic" about "a fight at the office" and "we need help officer." RR recalled his words as "I need you at the office." Both agreed the radio call expressed urgency, if not panic.

At the time Johnson entered through the Exit gate, there were 6-10 people on the sidewalk. By the time Blauvelt arrived, about a dozen or more persons had gathered on the sidewalk and Blauvelt had to maneuver around them after exiting his vehicle, crossing Poplar, and running down the sidewalk. According to his body camera, his first full view of the men on the ground came when he was 15-20 feet away. During the time Blauvelt was responding, he called for backup on his Police Department radio.

Blauvelt first observed "three Brick Street employees struggling with a combative male on the ground." Blauvelt described the struggle as "violent" and observed the bar employees trying to restrain Johnson but "they were not able to control him." According to Blauvelt, this was something more than just staff evicting someone from the premises. Blauvelt gave Johnson verbal commands to roll over, commands heard by at least two of the three employees struggling with Johnson. Johnson did not roll over and the struggle continued. Blauvelt then reached down and grabbed Johnson by the left arm. His body camera confirmed eye contact with Johnson. Blauvelt felt there was "no doubt" Johnson knew he was a police officer.

When Blauvelt leaned over and grabbed Johnson's arm, two of the employees struggling with Johnson let go. The remaining employee continued to hold Johnson's legs. The two employees who let go of Johnson felt that once the police officer had engaged the subject their involvement was over, and it was okay to let go. Johnson then grabbed Blauvelt by the right shoulder and pulled him down on top of him, and the two men struggled on the ground. At this point, Blauvelt realized he was struggling with a

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

much younger, bigger, and stronger man whom he had just observed three other men unable to control. When Blauvelt's legs and feet went off the ground, he felt he was in jeopardy of losing control. Once he regained his footing, he detached his right arm from Johnson and struck Johnson three times in rapid succession in the left side of the neck, upper jaw, and ear area. Johnson became more responsive and bar staff reengaged as the struggle continued.

Police Officer Paul Hellwarth was on duty in his cruiser when he heard Blauvelt's call for back up. Hellwarth had 8 years of experience in law enforcement, about 5 years with the City of Oxford. He exited his cruiser on Poplar Street and ran to the scene, arriving approximately 20 seconds after bar employees had reengaged with Blauvelt and Johnson. Hellwarth observed Blauvelt "struggling on the ground with a combative male" and that Blauvelt was "trying to gain control." At this point Johnson was on the ground lying on his right side. Blauvelt again gave verbal commands to "roll over" and "give me your hands." Hellwarth then engaged Johnson by pulling on his right arm while Blauvelt was pulling on his left arm attempting to roll Johnson over from his side to his stomach. At this point, bar staff again let go except the one employee who continued to hold Johnson's leg. Neither officer informed Johnson that he was under arrest, that they were arresting him, or used the word "arrest."

Once on his stomach, Johnson tried to push himself up as the two officers attempted to pull Johnson's hands behind him. Blauvelt then used two knee strikes to Johnson's right hip/midsection after which the two officers were able to get Johnson's hands behind his back and attempt to place a set of handcuffs on him. Hellwarth also observed that Johnson was "clearly stronger than either of us."

As Johnson continued to struggle, Sergeant Ben Hool arrived and observed Blauvelt and Hellwarth still engaged with Johnson who "kept trying to get up." Hool positioned himself opposite Blauvelt and Hellwarth on Johnson's left side and, assisted by Hellwarth, used a second set of handcuffs, double cuffing Johnson. Once police placed the second set of handcuffs, Johnson stopped struggling and complied with further commands from police officers. There was no further use of force.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

B. USE OF FORCE ANALYSIS

Other than the force necessarily attendant to the placing of handcuffs and escorting Johnson to the Oxford Police Department, the use of force subject to review are Blauvelt's three fist strikes to the side of Johnson's upper neck/side of head and the two knee strikes to Johnson's midsection/hip area.

We must review Blauvelt's actions from his perspective, what he knew and when he knew it, without reference to 20/20 hindsight. From Blauvelt's perspective, he received an urgent call to come to the back of the bar building, near the office, because of a fight. He first observed "three Brick Street employees struggling with a combative male on the ground" who were trying to restrain the fourth man but "were not able to control him." Blauvelt described the struggle as "violent," something more than just staff evicting someone from the premises, and something he had not seen before during the multiple times he had worked the bar detail.

We may not consider other persons intentions or information not known to Blauvelt in analyzing his use of force, but we may look to other facts to corroborate Blauvelt's observations and perspective. What was happening on the ground when Blauvelt arrived on the scene, as corroborated by the videos and witness interviews, is what Blauvelt observed. Three bar employees were struggling to control a fourth man on the ground, later identified as Mr. Johnson. Blauvelt gave verbal commands to the subject to roll over, and after the subject on the ground did not comply, Blauvelt reached down and began to engage the subject. That is when the bar staff let go of Johnson, who immediately reached up and pulled Blauvelt down on top of him. Blauvelt realized the subject was younger, bigger, and stronger than he was. As the struggle continued, Blauvelt's feet left the ground, and he sensed he was losing control of the situation. He was concerned about retention of his side arm. Once Blauvelt regained his feet, he used three quick fist strikes to regain control.

Blauvelt described his intention when he first came upon the scene as helping to break up the fight and stop the struggle. After he engaged with Johnson and the bar

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

employees released their hold of Johnson, Blauvelt's intention shifted to gaining and maintaining control over a person who was younger, bigger, and stronger than himself. He did not feel he had used unreasonable or unnecessary force under the circumstances.

The Manual, at §300.3.3, lists eighteen factors that should be taken into consideration when evaluating whether an officer has used reasonable force.

- (a) Immediacy and severity of the threat to officers or others. Although Blauvelt did not know whether the subject was armed, he did observe three other adult men unable to control the subject and determined that the subject was younger, bigger, and stronger than himself. Given the "violent" nature of the struggle, the threat to the officers, bar staff, and passerby was immediate.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time. Blauvelt observed Johnson as being combative and nonresponsive to verbal commands.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects). After having witnessed three adult men unable to control the subject, and after the subject pulled the officer down on top of him, Blauvelt realized that Johnson was younger, bigger, and stronger. He was also alone as backup police had not yet arrived and the bar employees had let go.
- (d) The effects of suspected drug or alcohol use. Blauvelt did not know if Johnson had been drinking or whether he was under the influence at the time. Having worked the bar detail multiple times, and given the time was close to 1:30 in the morning, his assumption of alcohol use was not unreasonable.
- (e) The individual's mental state or capacity. Besides his combativeness with bar staff and police, there was no indication of any other mental state that would affect the decision to use force. In fact, the video of Johnson once in custody shows a polite young man whom the police decided not to transport to the

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

Butler County Jail, but instead charged by Citation and Summons, released, and drove him back to his dormitory.

(f) The individual's ability to understand and comply with officer commands.

Blauvelt said he made eye contact with Johnson, confirmed by body cam, and that Johnson was able to hear and understand his commands. Bar staff and later Officer Hellwarth confirmed that they clearly heard Blauvelt's commands to Johnson. Johnson's repeated question "why are you doing this" indicates that he understood the situation.

(g) Proximity of weapons or dangerous improvised devices. The only weapon present was Blauvelt's side firearm that he became concerned about retaining when he left his feet as he struggled with Johnson on the ground.

(h) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained. At the time of the use of force, Johnson was not yet restrained and was continuing to struggle.

(i) The availability of other reasonable and feasible options and their possible effectiveness. Once bar staff had let go of their hold on Johnson and Johnson pulled Blauvelt on top of him, few options remained available to Blauvelt during the middle of a struggle with a stronger opponent while waiting for back up to arrive. Weapon retention became paramount.

(j) Seriousness of the suspected offense or reason for contact with the individual. When Blauvelt came upon the scene, he was unaware of any offense having been committed. He observed three Brick Street employees struggling with a combative male on the ground, a male the three employees together could not control. Blauvelt was not trying to make an arrest; he was trying to break up a struggle or fight and gain control.

(k) Training and experience of the officer. Blauvelt has over 20 years of experience as a police officer, including over 11 years in Oxford. He is a defensive tactics instructor with the department. He has worked the Brick Street bar detail multiple times.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

- (l) Potential for injury to officers, suspects, and others. Once the struggle between bar staff and Johnson had moved onto and down the sidewalk, a small crowd of onlookers gathered to watch. Blauvelt had to maneuver around them to get to the scene of the struggle. When bar staff let go of Johnson, they backed away but did not leave. Blauvelt expressed concern about the potential for injury to others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer. Blauvelt was not trying to make an arrest; he was trying to break up a struggle or fight and gain control. Johnson was not cooperating. It is not clear why Johnson pulled Blauvelt down on himself, but that action gave rise to the use of force.
- (n) The risk and reasonably foreseeable consequences of escape. This is not a factor. Blauvelt's intent was to break up the fight and gain control of the situation. Police later charged Johnson by paper and released him.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation. After Johnson pulled Blauvelt down and Blauvelt left his feet, the need for immediate control became apparent.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officers of others. Johnson remained a threat until handcuffed.
- (q) Prior contacts with the individual or awareness of any propensity for violence. Blauvelt did not know the subject and had no knowledge of him prior to the night in question.
- (r) Any other exigent circumstances. Although Blauvelt knew nothing about what had happened in the bar, Johnson's decision to confront bar staff after they evicted him from the patio seems consistent with his combativeness and refusal to cooperate with Blauvelt. This stands in sharp contrast to Johnson's subsequent behavior leading up to his release from custody.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

Officer Blauvelt's use of force was compliant with the Policy Manual of the Oxford Division of Police, specifically the policy on use of force. Force should always be the last recourse in police work, but force is authorized when it is reasonable and necessary. Under the unique facts and circumstances of this situation, we feel that it was.

The Department should consider updated and more frequent training on defensive tactics and de-escalation techniques.

II. COLLECTION OF EVIDENCE: WITNESS STATEMENTS AND BRICK STREET BAR VIDEO (USB DRIVE OF SECURITY FOOTAGE WITH 3 VIDEO FILES)

This part of the report relates to "internal reporting" with respect to the handling of the bar videos.

In 2018, the Ohio Attorney General's Office published a manual entitled "Best Practices to Secure Property Rooms" intended to address issues relating to protecting the integrity of evidence collecting by police officers. Recognizing that the manual was not meant to be a uniform model for every Ohio law enforcement agency, the AG's Office made clear that "developing a well-functioning property and evidence room is an intentional effort by an agency to create and follow policies and procedures designed to: . . . [e]stablish and maintain *accurate documentation*, including inventory and chain of custody records. . . ." (Emphasis added.) In the investigation arising out of the incident that occurred during the early morning hours of November 18, 2023, our investigation gave rise to a question about whether "accurate information" relating to the evidence collected would have been helpful to communications about the incident and the general public's reaction to the video posted on social media.

We received and reviewed a number of body cam videos from the incident on November 18.¹ Body cam video ("BCV") from Oxford police officers on the scene

¹ Oxford E1 – 0010 – Sgt. Hatfield
Oxford E1 – 0011 – Officer Morgan
Oxford E1 – 0012 – Sgt. Hatfield
Oxford E1 – 0013 – Sgt. Hool

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

confirmed a conversation between shift supervisor Sgt. Matthew Hatfield, Officer Matthew Blauvelt, Officer Paul Hellwarth and Officer Matt Hardin about obtaining witness statements and securing a copy of security video from Brick Street Bar staff. Specifically, in BCV #12, Sgt. Hatfield requested that Officer Hellwarth, the second officer on the scene and the person who took Johnson into custody and transported him to the Oxford Police Department, prepare the incident report. Officer Blauvelt, who was the first officer on the scene, was working the "Brick Street Bar detail"² and his shift had not ended, so someone other than Officer Blauvelt had to make the arrest and process Johnson at the Oxford Police Department.

During the same conversation, Officer Blauvelt offered to obtain witness statements from bar staff. Specifically, Blauvelt asked Sgt. Hatfield if he was "ok with that," i.e., obtaining the witness statements. Hatfield appeared to have not heard Blauvelt volunteer to obtain the witness statements and leaned in to get clarification. Blauvelt repeated his offer: "If he (referring to Officer Hellwarth) can get the statement forms, I'll stay and get the statements." Blauvelt can be heard stating that he will bring the statement forms to the office "so you guys (referring to bar staff) can stay out of the crowd." On BCV #12, Blauvelt can be heard stating that he would "walk them [statements] over" – presumably to the Police Department across the street. Hatfield acknowledged Blauvelt's offer and said, "Yes." BCV #12.

During the same conversation, either Officer Hardin or Sgt. Hatfield (or both) asked bar staff present (JB and RR) if there was video. JB said, "Yes." In BCV #14, Officer Hardin is observed walking toward the bar's security office at the north end of the building on Poplar Street. In BCV #15, Officer Hardin is seen going into the bar's

Oxford E1 – 0014 – Officer Blauvelt
Oxford E1 – 0015 – Officer Hardin
Oxford E1 – 0010 – Officer Hellwarth
Oxford E1 – 0010 – Officer Weaver

² Brick Street Bar detail is an overtime assignment. Officer Blauvelt had signed up for the detail for the November 17-November 18 shift, through the time of closing of the bar. The incident with Johnson occurred around 1:22 a.m. and the bar did not close until at least 2 a.m.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

office to review the video with RR. Upon entering the office, Officer Hardin and RR were met by DO (bar manager) who reviewed all the security video with them.

In BCV #16 (Officer Hellwarth), we learned that someone delivered the witness statements to Officer Hellwarth at his desk at the Police Department. We have not yet identified the person who delivered the signed witness statements to Hellwarth at the Oxford Police Department while he was completing the incident report relating to Johnson's arrest, as none of the persons most likely to have done so, i.e., Hatfield and Blauvelt, can recall if they delivered the witness statements to Hellwarth that night. However, we know from the interviews of Sgt. Hatfield, Sgt. Hool and DO that Hatfield was handed the USB drive of security footage by DO. Hatfield stated that DO texted him at 2:09 and told him that the videos had been downloaded. Thereafter, DO delivered the USB drive of security footage to Hatfield in the lobby of the police station. Hatfield took the USB drive of security footage to his office. Hellwarth retrieved the USB drive of security footage from Hatfield's office.³

Having retrieved the USB drive of security footage, Hellwarth reviewed it and found three separate video files on the USB drive of security footage. Consistent with Police Department practice, he attempted to upload the videos from the USB drive to the Police Department's electronic storage system, but only two of the three video files uploaded to the Police Department's storage system. Concerned about the failure to upload all three video files, Officer Hellwarth contacted Sgt. Hool sometime around 2:30 a.m. to discuss the problem. Sgt. Hool, who had remained as the supervisory officer that night to complete the processing of Johnson and the paperwork relating to the arrest, went to the squad room to discuss the matter with Hellwarth.⁴ Sgt. Hool and Officer Hellwarth both went to Sgt. Hool's office to see if the problem with uploading was

³ Sgt. Hool told us that DO brought the USB drive of security footage to the department that night.

⁴ Sgt. Hool and Sgt. Hatfield had overlapping shifts on the Friday night/Saturday morning time period and Sgt. Hool agreed to stay and complete the arrest process with Johnson. Before ending his shift that night, Sgt. Hatfield made the decision to not transport Johnson to the Butler County Jail, but instead issued him a summons to court for the four charges arising out of the incident at the bar.

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

unique to the computer Hellwarth was using or there was some other problem with the USB drive. Sgt. Hool inserted the USB drive into his desktop and was able to play all three videos, just as Officer Hellwarth had done at his station. Both confirmed that the videos opened and played on the computer systems at the police department. However, neither could explain why the third video file would not be uploaded to the police storage system. Neither Hool nor Hellwarth observed any message on the computer system indicating why the third file would not upload to the police storage system. Hool and Hellwarth speculate that the third video may have been too large for the police storage system (or the one file required a particular player drive that was not on the police computer system). Consequently, Sgt. Hool instructed Officer Hellwarth to put the USB drive of security footage in the evidence room.

Officer Hellwarth completed his written incident report (# 23-OPD-1387), and under the tab marked "Property Information" listed the evidence (USB drive of security footage) but did not make any reference to the fact that the USB drive contained three video files. The quantity referenced on the Incident Report is "1" referring to the number of USB drives, not the number of video files on the USB drive of security footage.

In his statement of facts in the Incident Report, Officer Hellwarth referenced reviewing the "Brickstreet security footage" but makes no reference to the failed upload of the third video file. He did state that the "[v]ideo footage continued showing Ptl. Blauvelt struggling with Johnson prior to my arrival." The video footage with this struggle on it is the third video file that was not uploaded to the police department's storage system that night and the same video that made its way into the public on social media approximately one month later.

Officer Blauvelt provided his own statement of facts as referenced in the Incident Report. In his statement of facts, Blauvelt stated that he became entangled with the "combative male" and that: "I was able to detach from him and then used three upper body strikes to attempt to gain compliance." After Officer Hellwarth arrived to assist, Officer Blauvelt stated that "[t]he male began pushing himself off the ground against

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

officer's (sic) efforts. At this point I used two knee strikes to the male's body and we were able to place him into handcuffs."⁵

In the Incident Report, Officer Hellwarth referred to the USB drive of security footage as being in evidence with no explanation as to the problem of being unable to upload all three video files. According to Chief Jones, he reviewed and signed off on Officer Blauvelt's Use of Force Report ("UOF") relating to the November 18, 2023, incident. The UOF report was the same as the statement of facts Blauvelt had added to the Incident Report prepared by Hellwarth and signed off on by Sgt. Hool.

As previously referenced above, Johnson was taken to the police station but ultimately released on his own recognizance, with a citation to appear in court to answer to four separate criminal charges: assault (misdemeanor-first degree); criminal trespass (misdemeanor-fourth degree); resisting arrest (misdemeanor-second degree); and underage consumption/possession of beer/intoxicating liquor (misdemeanor-third degree). After being cited, Johnson retained defense counsel.

According to Matt Stitzel, Oxford City Police Department Records Specialist:

"On November 29th, 2023, defense attorney, Ryan Agee, came to my window in the lobby requesting body cams and surveillance videos regarding his client's case. I believe it was on November 29th because I sent an email to the prosecutor and his assistant on November 29th at 11:07am regarding this visit from Ryan Agee.⁶ I remember doing this quickly after Mr. Agee left. During this visit at my window, Mr. Agee stressed that he needed the videos quickly so he could help represent his client through the Miami University disciplinary hearings,

⁵ Sgt. Hool, the third officer on the scene, arrived in time to witness the "knee strikes" referenced by Officer Blauvelt, and assisted in placing handcuffs on Johnson.

⁶ Attached "Devin Johnson Case – CRB2300739ABC and D".

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

which were being conducted quicker than the court proceedings. I explained to Mr. Agee that I cannot give these materials out until I get the prosecutor's approval. Mr. Agee left."

"I got approval from Sherrie Curtis, Prosecutor's assistant, to give the videos (surveillance and body cams) to Mr. Agee on November 29th, 2023, at 11:38am. I got an email from Jeff Schlessman, Prosecutor, saying there is no issue with the release on November 29th, 2023, at 12:15pm. Prosecutor Schlessman, in the same email, asked his assistant to contact Mr. Agee's office for a discovery request.⁷

"After receiving the thumb drive, containing the Brick Street videos, from Property Officer Perry Gordon, I made a copy of the videos and put them on CD's. I made one copy for Mr. Agee and one for the prosecutor's office. I emailed Mr. Agee to let him know the CD containing the business surveillance videos was ready for him to pick up on November 30th, 2023, at 9:34am. Mr. Agee responded at 10:03am that he will swing by after court.⁸ I gave the CD to someone from Mr. Agee's office when they came in the same day, the 30th."

On Christmas Eve (December 24, 2023), Chief Jones became aware of a video circulating on social media⁹ that appeared to contain information relating to the

⁷ Attached "Re: Devin Johnson Case – CRB2300739ABC and D".

⁸ Attached "Re: Oxford PD – Devin Johnson Case".

⁹ According to The Miami Student, the video posted on social media was "originally posted on Dec. 23 on TikTok by the account @femmeslibre. In the video, the woman claims she is cousins (sic) with the father of Devin Johnson, a Miami first-year football player." * * * "However, the woman who posted security footage on social media alleges that the incident is an example of police brutality." * * * "The officer then punches Johnson three times in the head or neck. The view is partially obscured by the man at Johnson's shoulders."

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

November 18 encounter between Officer Blauvelt and Johnson where Blauvelt is seen striking Johnson in the head three times. This is the third video that did not upload to the police storage system during the early morning hours of November 18, 2023.

In his review of Blauvelt's UOF report on December 1, 2023, Chief Jones did not appear to know the USB drive of security footage contained three videos, as only two video files had uploaded to the police department's storage system, neither of which contained the video of the three body strikes. Therefore, when he reviewed Blauvelt's UOF report and signed off on it on December 1, 2023, he reviewed it without knowledge that he had not reviewed all the documented evidence. The police body cam that was provided does not show the contact between Blauvelt and Johnson at issue, i.e., the three body strikes to Johnson's head, but does show Blauvelt's two knee strikes intended to gain control of Johnson.

Upon becoming aware of the video circulating on social media that contained the footage he had not previously seen, Chief Jones, through media representative (Lt. Lara Fening), issued a statement to the general public that suggested something untoward had happened and immediately sent a letter to Officer Blauvelt indicating that "[i]n light of new information regarding a use of force incident that you were involved in on November 18, 2023, it has been determined that an investigation into the use of force is necessary." Officer Blauvelt was "placed on administrative leave effective immediately." The statement issued on behalf of the Oxford Police was published in The Miami Student newspaper on December 24, 2023:

"In a Facebook post on Dec. 24, OPD stated that the security footage was not included in the department's initial review of the incident. The department stated that it would investigate the use of force by the officer and review its policies. 'We understand this video can be disturbing and shocking and we are committed to conducting a transparent investigation,' the post read. 'There is

REPORT OF DAVID WILLIAMSON AND JONATHAN HOLLINGSWORTH
USE OF FORCE POLICY COMPLIANCE INVESTIGATION
NOVEMBER 18, 2023, INCIDENT

misinformation being shared on social media regarding this incident. Thank you for your patience while we conduct a thorough review of this incident.”

Our investigation revealed that Sgts. Hool and Hatfield, and Officers Blauvelt, Hardin, and Hellwarth, all reviewed the three videos that were placed on the USB drive of security footage on November 18, 2023. Sgt. Hatfield and Officers Hardin and Blauvelt reviewed the three video files while they were all in the office at the bar. Sgt. Hool and Officer Hellwarth reviewed the videos on the USB drive of security footage while at the Police Department when they were completing the arrest and related paperwork. However, no one told Chief Jones about the problem with uploading the third video file to police storage. Moreover, it appears that Chief Jones had not reviewed the evidence (USB drive of security footage), either.

If best practices suggest that police agencies should “maintain accurate documentation, including inventory and chain of custody records,” that did not happen in this instance. However, that is not to suggest that there was a violation of police department policy, written or unwritten, and that the conduct at issue did not constitute good police practice regarding the collection of evidence. The search for the perfect answer should not become the enemy of the good as there is no doubt that the video evidence was in the custody of the Oxford Police Department as of November 18, 2023. However, the exact nature and scope of the evidence was not made clear to the public officials who would have to respond to public inquiries, i.e., Chief Jones and his public information officer, Lt. Fening. This moment of confusion can be avoided by better communications about the nature and extent of the evidence collected (or reviewed by the Chief before signing off on any UOF reports).

/s/ David P. Williamson

David P. Williamson, Esq.
Bieser Greer
6 North Main Street, Suite 400
Dayton, Ohio 45402

/s/ Jonathan Hollingsworth

Jonathan Hollingsworth, Esq.
Hollingsworth & Washington, LLC
6494 Centerville Business Parkway
Centerville, Ohio 45459

From: Matt Stitzel <mstitzel@cityofoxford.org>
Sent: Wednesday, November 29, 2023 11:07 AM
To: markersr@butlercountyohio.org; schlessmanje@butlercountyohio.org
Subject: Devin Johnson Case - CRB2300739ABC and D

Jeff,

Ryan Agee, defense attorney for Devin Johnson, stopped by and wanted all the videos (business surveillance video and body cams) of this case. Before I gave it to him, I wanted to clear it with you first before sending him anything. I know he is working with the University on their disciplinary hearings for Devin, which work faster than court, so he was hoping to have these quickly.

Let me know if it is O.K. to give these to him. I can send/copy the videos to Sherrie as I gather them for him as well.

Thanks, Jeff.

Matt Stitzel
Oxford City Police Department
Records Specialist
513-524-5246

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From: Jeff Schlessman <schlessmanje@butlercountyohio.org>
Sent: Wednesday, November 29, 2023 12:15 PM
To: Sherrie Curtis; Matt Stitzel
Subject: Re: Devin Johnson Case - CRB2300739ABC and D

Sherrie,

Please email his office and ask for a discovery request. But otherwise, no issue with the release.

Thank you both.

Jeff

>>>

From: Sherrie Curtis
To: Matt Stitzel
CC: Jeff Schlessman
Date: 11/29/2023 11:37 AM
Subject: Re: Devin Johnson Case - CRB2300739ABC and D

Good morning Matt!

It is ok to release the videos to Ryan Agee. If you would please release all videos to me as well so that Jeff may review them.

He kind of put the cart before the horse but would get them through a Discovery request anyway.

Thank you for checking!

Sherrie

>>>

From: Matt Stitzel <mstitzel@cityofoxford.org>
To: Sherrie Curtis <markersr@butlercountyohio.org>, Jeff Schlessman <schlessmanje@butlercountyohio.org>
Date: 11/29/2023 11:07 AM
Subject: Devin Johnson Case - CRB2300739ABC and D

Jeff,

Ryan Agee, defense attorney for Devin Johnson, stopped by and wanted all the videos (business surveillance video and body cams) of this case. Before I gave it to him, I wanted to clear it with you first before sending him anything. I know he is working with the University on their disciplinary hearings for Devin, which work faster than court, so he was hoping to have these quickly.

Let me know if it is O.K. to give these to him. I can send/copy the videos to Sherrie as I gather them for him as well.

Thanks, Jeff.

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Records Specialist

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From: Ryan Agee <ryan@ryanageelaw.com>
Sent: Thursday, November 30, 2023 10:03 AM
To: Matt Stitzel
Cc: Hayden Bratton; Troy Skiles
Subject: Re: Oxford PD - Devin Johnson Case

Good morning,

I will be in Oxford this morning and can swing by after court to pick up the CD. This email is a good email to send any documentation to.

Thank you for your assistance.

On Thu, Nov 30, 2023 at 9:34 AM Matt Stitzel <mstitzel@cityofoxford.org> wrote:

Good Morning, Ryan.

I was letting you know that I made a copy of the business surveillance video for you. You can stop by to pick it up. I put it on a CD.

Is this email address a good email to send the body cams to? Let me know when you get a chance. Thanks.

Matt Stitzel

Oxford City Police Department

Records Specialist

513-524-5246

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Ryan Agee

Attorney at Law
Phone: (937)-452-6001

Fax: (937)-634-9022
Email: ryan@ryanageelaw.com

100 S. Lafayette St.

Camden, OH 45311

www.ryanageelaw.com



MINUTES
OXFORD CITY COUNCIL REGULAR MEETING
COURTHOUSE
TUESDAY, MARCH 19, 2024 AT 7:30 PM

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

1. Roll Call.

A regular meeting of the Oxford City Council was called to order by Mayor Snively on Tuesday, March 19, 2024, at 7:30 p.m. Members in attendance were Amber Franklin, Alex French, Jason Bracken, Michael Smith, and David Prytherch. Chantel Raghu was excused.

Staff Members in Attendance:

Mr. Douglas Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. John Jones, Police Chief; Mr. Michael Dreisbach, Service Director; Mr. John Detherage, Fire Chief; Mr. Sam Perry, Community Development Director; Mr. Geoff Robinson, Police Lieutenant; Ms. Heidi Hill, Finance Director; Mr. Chris Conard, Law Director; and Ms. Heather Barbour, Clerk of Council.

2. Pledge of Allegiance.

3. Approval of Agenda.

Motion – To Approval of the Agenda.
(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin
AYE # 6
NAY # 0
ABS # 0

4. Public Participation.

A. Presentation - Enjoy Oxford Kim Daggy, Executive Director

Ms. Daggy presented Enjoy Oxford's Annual Report (slides included in minutes) and offered to answer any questions. Mayor Sanvely thanked Ms. Daggy for her presentation.

B. Public Comments

The purpose of the public comments section is for members of the public to speak to the City Council on any subject not scheduled on the Agenda, except consent agenda items. To speak, you may approach the podium and wait to be addressed by the Mayor. You will need to state your name and address for the public record. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff, or other members of the public, and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

Public Comment - Mr. Steve Chaffin, 6022 Fairfield Road - Thanked Council for having a discussion about the proposed rule change. Mr. Chaffin noted his intent was to increase dialogue with the public to improve trust in local government. Mr. Chaffin commented on the Fire/EMS discussion item by stating we still don't know the full nature of the problem. Mr. Chaffin mentioned one issue facing the city is the lack of adequate staffing due to inadequate recruitment and retention of new staff.

5. Consent Agenda.

All matters under the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

Motion – To Approve the Consent Agenda
(Voice Vote) 1st Mr. Prytherch 2nd Ms. French
AYE # 6
NAY # 0
ABS # 0

- A. Minutes of the March 5, 2024, City Council Work Session (Heather Barbour, Clerk of Council)
- B. Minutes of the March 5, 2024, City Council Meeting (Heather Barbour, Clerk of Council)
- C. A Report Regarding the March 6, 2024, Environmental Commission Meeting (Jessica Greene, Assistant City Manager)
- D. A Resolution Authorizing the City Manager to Waive the Fees Adopted in the Fee Ordinance for the Street Closures for the Visitors Bureau (Enjoy Oxford) for the 2024 Annual Summer Music Festival (Jessica Greene, Assistant City Manager)

6. Resolutions.

- A. A Resolution Authorizing the City Manager to Waive the Fees Adopted in the Fee Ordinance for the Street Closures for the Oxford Chamber of Commerce for the 2024 Annual Oxford Wine & Craft Beer Festival (Jessica Greene, Assistant City Manager)

Motion – To Adopt Resolution No. 7581
(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin
AYE # 5
NAY # 1
ABS # 0

Ms. Greene presented her staff report and addressed questions and comments from the Council. Ms. Kelli Riggs, President of the Oxford Chamber of Commerce, spoke about placemaking through community events and the success of Oxford's economy and culture. Ms. Riggs mentioned the Otoberfest partnership with the City, and it is a great example of organizations working together to benefit the community and celebrate our City. Ms. Riggs noted the Chamber

is an active part of the community that advocates for our businesses. Ms. Riggs shared that this is the 17th anniversary of the Oxford Wine and Craft Beer Festival. Ms. Carol Havens, Treasure and Board member of the Oxford Chamber of Commerce. Ms. Havens mentioned the Chamber tries to support businesses on a daily basis and bring people into to town.

Public Comment - Ms. Ann Fuehrer, Dana Drive - Ms. Fuehrer mentioned the notion of equity. Ms. Fuehrer remembered the conversation when Mason's held their car show and would like to know what criteria would be used to determine what would be an equitable waving of fees for parking.

Motion – To Amend the title and Section 1 to add "parking meter costs" to read; waiving the fees for street closures and parking meter costs is in thee best interest of the community.

(Voice Vote) 1st Mr. Prytherch 2nd Ms. French

AYE # 5

NAY # 1

ABS # 0

Motion – To Table Resolution No. 7581 until more information is gathered from the High Street businesses.

(Voice Vote) 1st Mr. Bracken 2nd None

AYE #

NAY #

ABS #

- B. A Resolution Accepting the Bid and Authorizing the City Manager to Enter into an Agreement with Barrett Paving Materials, Inc. for the 2024 Street Resurfacing and Maintenance Program at a Cost of \$669,469.00 With Alternate #3 Costing \$31,346.00 Plus a Contingency in the Amount of \$70,000 for a Total Cost Not to Exceed \$770,815.00.(Michael Dreisbach, Service Director)

Motion – To Adopt Resolution No.7582.

(Voice Vote) 1st Mr. Prytherch 2nd Ms. French

AYE # 6

NAY # 0

ABS # 0

Mr. Dreisbach presented his staff report and addressed questions and comments from the Council.

Public Comment - None.

- C. A Resolution Authorizing the City Manager to Apply for, Accept, and Enter Into a Water Supply Revolving Loan Account (WSRLA) Agreement on Behalf of the City of Oxford for 100% of Private-Side Lead Service Line Costs for Customers Participating in the City's Lead Service Line Replacement Program. (Michael Dreisbach, Service Director)

Motion – To Adopt Resolution No. 7583.
(Voice Vote) 1st Ms. French 2nd Mr. Prytherch
AYE # 6
NAY # 0
ABS # 0

Mr. Dreisbach presented his staff report and addressed questions and comments from the Council.

Public Comment - None.

- D. A Resolution of Council Authorizing the City Manager to Submit a Grant Application to the Ohio Department of Natural Resources Clean Ohio Trails Fund for \$500,000.00 as a Matching Grant to the OKI Funding Received for the Construction of Phase V of the Oxford Area Trail and Authorizing the City Manager to Utilize Funds Raised By the OATS Property Tax Levy to Fund a 20% Local Match for this Grant if Awarded. (Jessica Greene, Assistant City Manager)

Motion – To Adopt Resolution No. 7584
(Voice Vote) 1st Mr. Prytherch 2nd Ms. Franklin
AYE # 6
NAY # 0
ABS # 0

Ms. Greene presented her staff report and addressed questions and comments from the Council.

Public Comment - None.

- E. A Resolution Authorizing the City Manager to Waive the Water and Sanitary Capacity Benefit Charges for the Butler County Regional Transit Authority's Multimodal Transportation Center. (Douglas Elliott, City Manager)

Motion – To Adopt Resolution No. 7585.
(Voice Vote) 1st Mr. Prytherch 2nd Ms. French
AYE # 6
NAY # 0
ABS # 0

Mr. Elliott presented his staff report and addressed questions and comments from the Council.

Public Comment - None.

7. Ordinances.

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

A. First Reading

None.

B. Second Reading

None.

8. Discussion Item

A. Fire/EMS Staffing and Additional Funding

Mr. Elliott began the discussion by introducing Chief Detherage. Chief Detherage presented the details of three proposals and recommended the third option (slides included in minutes). Ms. Greene presented information on additional funding options (slides included in minutes). Mr. Elliott shared the 2023 assessed valuation of exempted real property for Miami University (slide included in minutes). Mr. Elliott, Ms. Greene, and Chief Detherage addressed questions and comments from the Council.

Public Comment - Mr. Chris Conard, Dayton, Ohio - Mr. Conard spoke as a father of a Miami Student. Mr. Conard noted that having listened to the discussion and understood the issues, he would have no problem if the Council approached the university to recommend a student fee. Mr. Conard shared he considers this a modest price to pay to have the type of safety net in place to protect his daughter, her roommates, and the other students.

Public Comment - Mr. Geoff Robinson, Emerald Woods Drive - Mr. Robinson speaking as a citizen of Oxford. Mr. Robinson mentioned having used the Oxford Fire/EMS service and it was very comforting knowing the level of professionalism they carry knowing they are full paramedics that they can treat patients with prehospital care that is second to none. Mr. Robinson noted the loss of paramedics we won't be able to offer that service on a first or second bound ambulance service is very troubling. Mr. Robinson stated that having people there for us when we need them should be the most important thing this Council talks about this year.

9. Announcements & Communications.

A. 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.

B. Future Meetings.

(Note: Meetings are held at the Court House unless otherwise indicated.)

DATE

Meeting

1. Date	Meeting	Location	Time
Mar 20	Board of Building Appeals	Courthouse	5:30 p.m.
Mar 26	Board of Zoning Appeals	Courthouse	6:30 p.m.
Apr 2	City Council	Courthouse	7:30 p.m.
Apr 3	Environmental Commission	Municipal Building	7:00 p.m.
Apr 4	Housing Advisory Commission	Municipal Building	5:00 p.m.
Apr 8	Oxford Recreation Board	Municipal Building	11:30 a.m.
Apr 9	Oxford Parking & Transportation Advisory Board	Municipal Building	8:30 a.m.
Apr 10	Historic & Architectural Preservation Commission	Courthouse	6:15 p.m.
Apr 15	Public Arts Commission of Oxford	Municipal Building	4:15 p.m.
Apr 16	City Council	Courthouse	7:30 p.m.

10. Adjourn.

Motion – To Adjourn at 9:20 p.m.
(Voice Vote) 1st Ms. French 2nd Mr. Prytherch
AYE # 6
NAY # 0
ABS # 0

Request has been sucessfully updated.

Public Comment to Council Form

Print

Submitted by: Brandon Flessner
Submitted On: 2024-03-19 09:36:53
Submission IP: (75.242.244.103)
proxy-IP (raw-IP)
Status: Acknowledged
Priority: Normal
Assigned To: Doug Elliott
Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* First Name

Brandon

Enter your First Name

* Last Name

Flessner

Enter your Last Name

* Address

5480 Brown Rd

* City

Oxford

* State

OH

* Email

flessnerb@gmail.com

Phone

4239872621

* I am a...

☐ Visitor

☐ Resident (i.e. must live within the corporate boundaries)

☐ Business Manager

☐ Business Owner

☐ Employee in Oxford

☐ Student

☒ Other

*** Comment(s)**

Whereas BCRTA's multi modal station will add no new functionality or otherwise enhance citizen's transportation given that you can today walk, ride, scoot, and drive to the station to catch the bus, and after spending \$24 million none of that will change, Whereas according to ODOT and FTA numbers, BCRTA represents less than 0.04% of travel in Butler County and as such is completely insignificant in terms of public transportation benefit

([https://www.transportation.ohio.gov/wps/wcm/connect/gov/b6d451ef-ab89-421d-aec0-a6f69be4798b/2022+kDVMT.pdf?](https://www.transportation.ohio.gov/wps/wcm/connect/gov/b6d451ef-ab89-421d-aec0-a6f69be4798b/2022+kDVMT.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-b6d451ef-ab89-421d-aec0-a6f69be4798b-oGU6-uY)

[MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-b6d451ef-ab89-421d-aec0-a6f69be4798b-oGU6-uY](https://www.transportation.ohio.gov/wps/wcm/connect/gov/b6d451ef-ab89-421d-aec0-a6f69be4798b/2022+kDVMT.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-b6d451ef-ab89-421d-aec0-a6f69be4798b-oGU6-uY) ,

https://www.transit.dot.gov/sites/fta.dot.gov/files/transit_agency_profile_doc/2022/50157.pdf , 1.7 vehicle occupancy rate assumed), Whereas the station nearly exclusively serves Miami University which provides operating funds to BCRTA, and given that it is located on Miami University property, surrounded by Miami University's non public parking lot, and utilized mainly by Miami University students, Whereas Miami University pays no city taxes and is a free rider for many city services such as fire protection, Whereas BCRTA pays no fuel taxes and is a free rider for many city services such as the road network on which their very heavy diesel buses inflict constant damage, Whereas waiving water and sanitary capacity benefit charges would represent a significant and burdensome sum to the city and its tax payers who derive very little benefit from said station (\$182,000 for a 6 inch line, \$419,000 for a 10 inch line), and waiving this fee is a highly unusual step, Whereas BCRTA's buses emit much more pollution per passenger mile than all other surface based transportation options and as such are incompatible with Oxford's climate goals, Whereas BCRTA plans a bus wash that will require significant water and sewer capacity, I hereby resolve that BCRTA should pay the water and sanitary capacity benefit charges just like everyone else.

Make a public comment for review by City Council

Public Comment to Council Form

Print

Submitted by: Debbie Vogt

Submitted On: 2024-03-12 11:09:57

Submission IP: (134.53.237.233)
proxy-IP (raw-IP)

Status: Open

Priority: Normal

Assigned To: Heather Barbour

Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* First Name

* Last Name

Debbie	Vogt
Enter your First Name	Enter your Last Name

* Address

11 Gardenia Dr

* City

* State

Oxford	OH
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* Email

Phone

vogtda@miamioh.edu	5135292159
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* I am a...

- ☐ Visitor
- ☒ Resident (i.e. must live within the corporate boundaries)
- ☐ Business Manager
- ☐ Business Owner
- ☒ Employee in Oxford
- ☐ Student
- ☐ Other

* Comment(s)

Thank you for considering and approving an alternate route for Phase V of the OATS in the Silverleaf Subdivision as noted in the March 5 meeting minutes. As a resident of Gardenia Drive, I know the neighbors that live near the Silverleaf Drive/Gardenia Drive intersection are happier with the alternate route shown on the map. Please consider building the trail 30ft from all property lines on the south side of Gardenia Drive. (Or at least mine!) As a resident, I would appreciate the extra distance between my property line and the edge of the paved part of the trail. I would feel more comfortable and safe with the paved edge of the trail further away. I know the southside neighbors I spoke with would also appreciate this too. Thank you for considering. I look forward to the completion of the trail!

Make a public comment for review by City Council

Enjoy
OXFORD
Ohio



2023 YEAR IN REVIEW



Goals

2023

- Launched New Website (w/Video!)
- Visitor Experience- Hotel, Ambassador
- Adv & Promo additional + 10%
- Events & Partnerships

Inspired by Comp Plan
& City Council

Attract visitors year-round
Placemaking
Culture & Recreation
Oxford Swag
History Installation

Signature

Uptown Music Concert Series- 14
Red Brick Reunion Porsche Car Show
Pub Runs- Tues/Wed
Winter-Summer-Fall Event Sign

Partnership

Chocolate Meltdown
EPIC Soccer
Wine & Craft Beer Festival
Freedom Festival Parade
Hike A Thon
MU- Alumni, WW, FW, HC

Shakespeare in the Park
Red Brick Fridays
UniDiversity Festival
Oxtoberfest
Veterans Day
Holiday Festival



2023 Events

Chocolate Meltdown



Epic Soccer



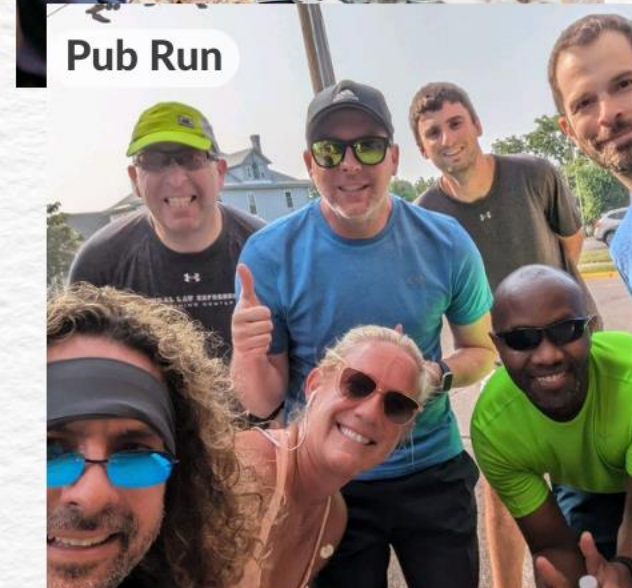
Red Brick Reunion



Uptown Music



Pub Run



UniDiversity Festival



Oxtoberfest



Holiday Festival



Website

Update:

*New web design launched
September 2023*

- **Sessions: 53,706**
 - **+33%**
- **Session time: 48s**
 - **+6%**
- **New Users: 75,474**
 - **+32%**

% = change since 2022



Requested Info:

- Mailed 203 pkts
- 8 countries
- 35 states

Content: Top 10 Pages:

1. Home
2. Calendar
3. Eat
4. Do
5. Oxtoberfest
6. Uptown Music
7. Stay
8. Holiday Festival
9. Small Town Summer
10. Area Attractions

Data recorded on December 19th, 2023

Media Insights



Reach: 107,747

Engagement: 8.4k

Page Likes: 490

of Posts: 262

Ad Reach: 46,268



Reach: 20,908

Engagement: 6.2k

Followers: 582

of Posts: 187

of Stories: 496

Ad Reach: 3,324



Reach: 7,625

Video Views: 9,588

Profile Views: 254

Website Clicks: 2

of Likes: 654

of Shares: 41



Impressions: 51k
+11k +21.56%

Interactions: 682
+98 +14.36%



Communication



**Ohio Travel Association
Ruby Award**

Monthly Newsletters Individuals & Business Community

- **Contacts: 5,168**
 - **+242** net
- **Sent Emails: 48,540**
 - **Opens: 23,391**
- **Open rate: 49%**
 - **+5%**
 - Industry average: 40%
- **Click rate: 7%**
 - **+1%**
 - Industry average: 1%



Data recorded on December 19th, 2023

Enjoy Oxford

2023 Best College Town in Ohio



presented by Midwestern Traveler

Statistics

from TourismOhio

Ohio

2022 Economic Impact Data

- Visitor spending
up 13%
 - Overnight visits
up 10%
 - Visits to Ohio
up 6%
- compated to 2021*



Reflections

New: Hotel Industry Support

Listening Sessions

Restarted Ask Me Training

Welcome Banners

Ambassador Saturdays

New: Swag

T- Shirts

Spring & Fall line of Hoodies

Sustainable Travel Mugs

New: Promotion

TRI State Trails

Ohio Magazine

Edible Ohio

New: Attended Ohio Tourism Day

May 6, 2023

Columbus Courthouse lawn

New: Placemaking MOU

Signed '23

Event support

Public Art in 2024

New: Social Content

This Weekend in Oxford Series

Shrpa- Influencer content

Robust 2024

- Welcome Guides Ohio/Michigan (TIC)
- + Influencer Content
- Adv & Promo- **additional 10%!**
- Accessibility checks on website
- Eclipse, GOBA, TRI State Trail Regional
- Research NEW Events & Partnerships



13

→ 13 A



FILM NEGATIVE

FILM NEGATIVE



FILM NEGATIVE



FILM NEGATIVE

→ 14

→ 14 A



FILM NEGATIVE



FILM NEGATIVE



FILM NEGATIVE

City of Oxford Division of Fire and EMS

2024 Staffing Options



Current Staffing – 6 on shift at full staffing, minimum of 5

4 Full-Time, 2 Part-Time / 12 Total Full-Time Employees

Shift Captain

Crew of 2 on the Ambulance – 1 Paramedic, 1 EMT

Crew of 3 on the Engine – 2 Paramedics, 1 EMT – Second Ambulance call leaves 1 person on the Engine which is ineffective.

Proposal #1

8 on shift
6 Full-Time, 2 Part-Time
18 Total Full-Time
Employees

Shift Captain

Crew of 2 on the Ambulance

Crew of 3 on the Engine cross staffing the
third Ambulance leaving 1 on the engine

Crew of 2 cross staffing the Ladder, Tanker
and second Ambulance

- Adding Paramedic staff allows each medic to run on the primary Ambulance less frequently. With this staffing model we could split our territory into 2 districts and run 2 primary ambulances and divide the call volume in half (reducing workload), much the same way a department with two stations would but we would not gain a response time reduction.

Proposal #2

9 on shift

7 Full-Time, 2 Part-Time

21 Total Full-Time Employees

Shift Captain

Crew of 2 on the Ambulance

Crew of 3 on the Engine cross staffing the third Ambulance leaving 1 on the engine

Crew of 3 cross staffing the Ladder, Tanker and second Ambulance leaving 1 for the Ladder/Tanker

- This model spreads the first out unit to every sixth shift with a 3-person Engine and a 3-person Ladder.
- This could also support the two-district approach.
- With everyone in station, it would be possible to make three simultaneous EMS calls and still have a 2-person Engine available.

Proposal #3

10 on shift

8 Full-Time, 2 Part-Time

24 Total Employees

Shift Captain

Crew of 2 on the Ambulance

Crew of 2 on the second Ambulance

Crew of 3 on the Engine (No Cross Staffing)

Crew of 2 cross staffing the Ladder,
Tanker and third Ambulance

- This model is the clearest path to a two primary Ambulance model.
- Dedicated Engine crew of 3 assures there is a primary Engine response, even if all three Ambulances are on calls.

Updates

- In the last week we have had a Shift Captain and a Firefighter/Medic resign. That leaves us two Captains to run three shifts, and three paramedics for three shifts.
- Beginning April 1, 2024, we will no longer staff the second Ambulance with a Paramedic due to decreased staff.
- Milford Twp. will receive a 2 EMT Basic Ambulance.

Conclusion

- Added staffing not only spreads the work load out on our very busy ambulance, it also gives us a more reasonable number of firefighters for structure fires. More firefighters on scene significantly increases the efficiency of firefighting operations. See NIST study.
- The driving forces behind people leaving is run volume, staffing and lack of close mutual aid. By increasing staffing, we will have less of a need for mutual aid. 20 minutes for the next crew to arrive is concerning when you are inside a burning building.
- Keep in mind, none of these staffing models provide for the needed 40-hour staff to manage the operation. An Assistant Chief, Training Officer, EMS Officer, and Fire Safety Inspector are needed positions for a progressive fire and EMS operation.

Conclusion

- By not instituting a stepped approach to fire department staffing we have backed ourselves into a corner. Departments with comparable call volumes in the area have multiple stations and are staffed with three times the people we have. This makes recruiting impossible. Where would you choose to work? We need to make a significant change to our staffing model to attract trained applicants.

<https://www.nist.gov/el/fire-research-division-73300/firegov-fire-service/landmark-residential-fire-study-shows-how-crew>



[Engineering Laboratory \(https://www.nist.gov/el\)](https://www.nist.gov/el) / [Fire Research Division \(https://www.nist.gov/el/fire-research-division-73300\)](https://www.nist.gov/el/fire-research-division-73300)

[Fire.Gov \(https://www.nist.gov/el/fire-research-division-73300/firegov-fire-service\)](https://www.nist.gov/el/fire-research-division-73300/firegov-fire-service)

Landmark Residential Fire Study Shows How Crew Sizes and Arrival Times Influence Saving Lives and Property

[\(Return to Staffing Studies\) \(https://www.nist.gov/el/fire-research-division-73300/firegov-fire-service/staffing-studies\)](https://www.nist.gov/el/fire-research-division-73300/firegov-fire-service/staffing-studies)

Landmark Residential Fire Study Shows How Crew Sizes and Arrival Times Influence Saving Lives and Property

Released April 28, 2010

Contact: [Evelyn Brown \(https://www.nist.govmailto:evelyn.brown@nist.gov\)](mailto:Evelyn.Brown@nist.gov)

301-975-5661

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WASHINGTON D.C.--[A landmark study \(https://www.nist.gov/publications/report-residential-fireground-field-experiments-0\)](https://www.nist.gov/publications/report-residential-fireground-field-experiments-0) issued today by the U.S. Department of Commerce's National Institute of Standards and Technology (NIST) shows that the size of firefighting crews has a substantial effect on the fire service's ability to protect lives and property in residential fires.

Performed by a broad coalition in the scientific, firefighting and public-safety communities, the study found that four-person firefighting crews were able to complete 22 essential firefighting and rescue tasks in a typical residential structure 30 percent faster than two-person crews and 25 percent faster than three-person crews.

The report is the first to quantify the effects of crew sizes and arrival times on the fire service's lifesaving and firefighting operations for residential fires. Until now, little scientific data have been available.

"The results from this rigorous scientific study on the most common and deadly fires in the country—those in single-family residences—provide quantitative data to fire chiefs and public officials responsible for determining safe staffing levels, station locations and appropriate funding for community and firefighter safety," said NIST's Jason Averill, one of the study's principal investigators.

The four-person crews were able to deliver water to a similar-sized fire 15 percent faster than the two-person crews and 6 percent faster than three-person crews, steps that help to reduce property damage and lower danger to the firefighters.

"Fire risks grow exponentially. Each minute of delay is critical to the safety of the occupants and firefighters, and is directly related to property damage," said Averill, who leads NIST's Engineered Fire Safety Group within its Building and Fire Research Laboratory.

"Our experiments directly address two primary objectives of the fire service: extinguishing the fire and rescuing occupants," said Lori Moore-Merrell of the International Association of Fire Fighters (IAFF) and a principal investigator on the study.

The four-person crews were able to complete search and rescue 30 percent faster than two-person crews and 5 percent faster than three-person crews, Moore-Merrell explained. Five-person crews were faster than four-person crews in several key tasks. The benefits of five-person crews have also been documented by other researchers for fires in medium- and high-hazard structures, such as high-rise buildings, commercial properties, factories and warehouses.

This study explored fires in a residential structure, where the vast majority of fatal fires occur. The researchers built a "low-hazard" structure as described in National Fire Protection Association Standard 1710 (NFPA 1710), a consensus standard that provides guidance on the deployment of career firefighters. The two-story, 2000-square-foot test facility was constructed at the Montgomery County Public Safety Training Academy in Rockville, Md. Fire crews from Montgomery County, Md., and Fairfax County, Va., responded to live fires within this facility.



NIST researchers and their collaborators conducted more than 60 controlled fire experiments to determine the relative effects of crew size, the arrival time of the first fire crews, and the "stagger," or spacing, between the arrivals of successive waves of fire-fighting apparatus (vehicles and equipment). The stagger time simulates the typically later arrival of crews from more distant stations as compared to crews from more nearby stations.

Crews of two, three, four and five firefighters were timed as they performed 22 standard firefighting and rescue tasks to extinguish a live fire in the test facility. Those standard tasks included occupant search and rescue, time to put water on fire, and laddering and ventilation. Apparatus arrival time, the stagger between apparatus, and crew sizes were varied.

The United States Fire Administration reported that 403,000 residential structure fires killed close to 3,000 people in 2008—accounting for approximately 84 percent of all fire deaths—and injured about 13,500. Direct costs from these fires were about \$8.5 billion. Annually, firefighter deaths have remained steady at around 100, while tens of thousands more are injured.

Researchers also performed simulations using NIST's Fire Dynamic Simulator to examine how the interior conditions change for trapped occupants and the firefighters if the fire develops more slowly or more rapidly than observed in the actual experiments. The fire modeling simulations demonstrated that two-person, late-arriving crews can face a fire that is twice the intensity of the fire faced by five-person, early arriving crews. Additionally, the modeling demonstrated that trapped occupants receive less exposure to toxic combustion products—such as carbon monoxide and carbon dioxide—if the firefighters arrive earlier and involve three or more persons per crew.

"The results of the field experiments apply only to fires in low-hazard residential structures as described in the NFPA Standard 1710, but it provides a strong starting point," said Moore-Merrell. Future research could extend the findings of the report to quantify the effects of crew size and apparatus arrival times in medium- and high-hazard structures, she said.

The next step for this research team is to develop a training package for firefighters and public officials that would enable them to have both quantitative and qualitative understanding of the research, a project also funded by FEMA's Assistance to Firefighters Grant Program.

The study's principal investigators were Averill, Moore-Merrell and Kathy Notarianni of Worcester Polytechnic Institute. Other organizations participating in this research include the International Association of Fire Chiefs, the Commission on Fire Accreditation International-RISK and the Urban Institute.

The report was funded by the U.S. Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Assistance to Firefighters Grant Program and released today in Washington, D.C., before the start of the annual Congressional Fire Services Institute meeting that draws top fire safety officials from across the nation.

The Report on Residential Fireground Field Experiments, NIST Technical Note 1661, can be downloaded here.

Founded in 1901, NIST is a nonregulatory agency of the Commerce Department that promotes U.S. innovation and industrial competitiveness by advancing measurement science, standards and technology in ways that enhance economic security and improve our quality of life.

IAFF Contact: Bill Glanz (<https://www.nist.gov/mailto:bglanz@iaff.org>), 202-824-1505

Fire fighting (<https://www.nist.gov/topic-terms/fire-fighting>)

Created July 15, 2013, Updated August 25, 2016



The Impact of Adequate Staffing



The Impact of Adequate Staffing

Based on the NIST Report on Residential Fireground Field Experiments

by IAFF Fire & EMS Operations

NFPA 1500 and 1710 both recommend that a minimum acceptable fire company staffing level should be four members responding on, or arriving with, each engine and ladder company responding to any type of fire.

Concentration

A prime objective of fire service agencies is to maintain enough strategically located personnel and equipment so that the minimum effective firefighting force can reach a reasonable number of fire scenes before flashover occurs. Of utmost importance in limiting fire spread is the quick arrival of sufficient numbers of personnel and equipment to attack and extinguish the fire, as well as rescue any trapped occupants and care for the injured. Sub-optimal staffing of arriving units may delay such an attack, thus allowing the fire to progress to more dangerous conditions for firefighters and civilians.

Staffing deficiencies on primary fire suppression apparatus negatively affect the ability of the fire department to safely and effectively mitigate emergencies and therefore correlate directly with higher risks and increased losses, both physically and economically. Continued fire growth beyond the time of firefighter on scene arrival is directly linked to the time it takes to initiate fire suppression operations. As indicated in the Table below, responding companies staffed with four firefighters are capable of initiating critical fireground operational tasks more efficiently than those with crew sizes below industry standards.

Engine Company Duties					Ladder Company Duties			
Fireground Tasks	Advance Attack Line	% Change	Water on Fire	% Change	Primary Search	% Change	Venting Time	% Change
4 Firefighters	0:03:27		0:08:41		0:08:47		0:04:42	
3 Firefighters	0:03:56	12% Less Efficient	0:09:15	6% Less Efficient	0:09:10	4% Less Efficient	0:07:01	32% Less Efficient
2 Firefighters	0:04:53	29% Less Efficient	0:10:16	15% Less Efficient	0:12:16	28% Less Efficient	0:07:36	38% Less Efficient

Impact of Crew Size on a Low-Hazard Residential Fire^[1]. The above table compares and contrasts the efficiencies of suppression companies in the completion of critical tasks for fire control and extinguishment. The smaller the crew size, the more tasks an individual must complete as a team member, which contributes to the delay in initiating fire attack and contributes to diminished efficiency in stopping fire loss.

First-arriving companies staffed with four firefighters are more efficient in all aspects of initial fire suppression and search and rescue operations compared to two- or three-person companies. There is a significant increase in time for all the tasks if a company arrives on scene staffed with only three firefighters compared to four firefighters. According to the NIST Report on Residential Fireground Field Experiments, four-person crews are able to complete time-critical fireground tasks 5.1 minutes (nearly 25%) faster than three-person crews. The increase in time to task completion corresponds with an increase in risk to both firefighters and trapped occupants.

With four-person crews, the effectiveness of first-arriving engine company interior attack operations *increases* by 12% to 29%

efficiency compared to three- and two-person crews respectively. The efficacy of search and rescue operations also *increases* by 4% to 28% with four-person crews compared to three- and two-person crews. Moreover, with a four-person company, because the first-in unit is staffed with a sufficient number of personnel to accomplish its assigned duties, the second-in company does not need to support first-in company operations and is therefore capable of performing other critical fireground tasks that are likely to improve safety and outcomes.

At the scene of a structure fire, the driver/operator of the first engine company on the scene must remain with the apparatus to operate the pump. This leaves one firefighter to assist the operator in securing a water source from a hydrant and two firefighters to deploy a hoseline and stretch it to the fire. After assisting the operator, the third firefighter should begin to assist the other two firefighters with advancing the hoseline into the building and to the location of the fire. Before initiating fire suppression, the supervising officer of the first-arriving engine company is also responsible for walking around the building to assess the situation, determine the extent of the emergency, and request any additional resources necessary to mitigate the fire.

Similarly, the driver/operator of the first-arriving ladder company must remain with the apparatus to safely position and operate the aerial device while the other three firefighters also perform critical fireground tasks such as ventilation and search and rescue. Due to the demands of fireground activities, a fire attack initiated

by companies with only three or fewer firefighters is not capable of effecting a safe and effective fire suppression and/or rescue operation until additional personnel arrive.

Insufficient numbers of emergency response units, or inadequate staffing levels on those units, expose civilians and firefighters to increased risk. It also further drains already limited fire department resources and stresses the emergency response system by requiring additional apparatus to respond from further distances. Failing to assemble sufficient resources on the scene of a fire in time to stop the spread and extinguish the fire, conduct a search, and rescue any trapped occupants puts responding firefighters and occupants in a dangerous environment with exponential risk escalation such that it is difficult to catch up and mitigate the event to a positive outcome.

Overall Scene Time

Studies have shown that the more personnel that arrive on engine and ladder truck companies to the scene of a fire, the less time it takes to complete all tasks associated with fire suppression, search and rescue, and other critical fireground activities. As dispatched units arrive with sufficient numbers of firefighters, the overall time on the scene of the emergency decreases since critical fireground tasks can be completed simultaneously rather than in sequence. This also results in the decrease of on-scene risk levels. In other words, the more firefighters available to respond and

arrive early to a structure fire, the less time it takes to extinguish the fire and perform search and rescue activities, thus reducing the risk of injury and death to both firefighters and trapped occupants and reducing the economic loss to the property.



The Relationship between Crew Size and Scene Time [1]. The above chart displays how companies staffed with larger crew sizes will be on the scene of an emergency for a shorter time than smaller-sized companies. This lag on scene could be translated to mean that emergency resources will be unavailable longer to address other emergencies that may arise.

Overall Scene Time Breakdown by Crew Size		
Scenario	Total Time	Efficiency
4-Person Close Stagger	0:15:44	
3-Person Close Stagger	0:20:30	23% Less Efficient
2-Person Close Stagger	0:22:16	29% Less Efficient
4-Person Far Stagger	0:15:48	
3-Person Far Stagger	0:21:17	26% Less Efficient
2-Person Far Stagger	0:22:52	31% Less Efficient

The Relationship between Crew Size and Scene Time. The table displays how companies staffed with larger crew sizes will be on the scene of an emergency for a shorter time than smaller-sized companies. This lag on scene could be translated to mean that emergency resources will be unavailable longer to address other emergencies that may arise.

As charts and table above show, units that arrive with only two firefighters on an engine or ladder truck are on the scene of a fire almost seven minutes longer than units that arrive with four firefighters on each crew. Responding units arriving with only three firefighters on an apparatus are on the scene of a fire five to six minutes longer than units that arrive with four firefighters on each apparatus. In addition to crew size, the time between the arriving crews matters to overall effectiveness and total on-scene time.

Firefighting Study: Impacts of Crew Sizes and Arrival Times. As indicated in the video, responding companies staffed with four firefighters are capable of initiating critical fire ground operational tasks more efficiently than those with crew sizes below industry standards.

In the NIST study on the low-hazard residential fire, close stagger was defined as a one-minute time difference in the arrival of each responding company. Far stagger was defined as a two-minute time difference in the arrival of each responding company^{[2][3]}. The results show a consistent pattern of units arriving with four firefighters in a close stagger or far stagger will decrease the overall time at the scene of the emergency compared to units that arrive with two or three firefighters and are more efficient in fire suppression tasks as well.

Physiological Strain

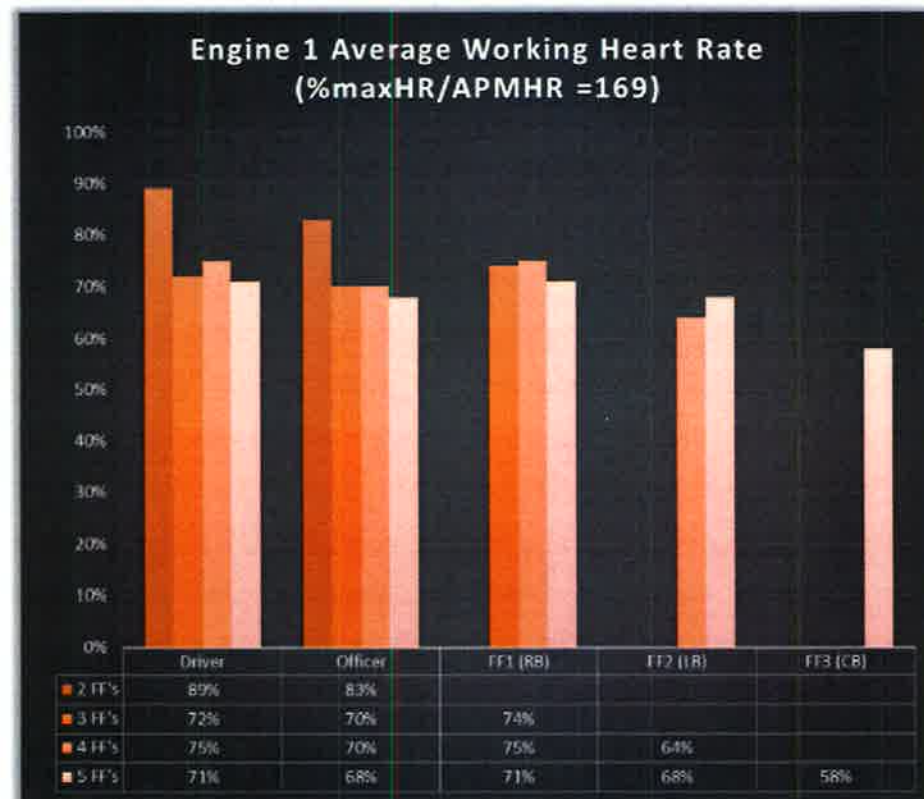
The same NIST study also examined the relationship between crew size and physiological strain. Two important conclusions were drawn from this part of the experiments.

- Average heart rates were higher for members of small crews.
- These higher heart rates were maintained for longer durations^[4].

In 2018 alone, 44% of all firefighter fatalities were related to overexertion^[5]. There is strong epidemiological evidence that heavy physical exertion can trigger sudden cardiac events^[6]. Smaller crews are responsible for performing a number of tasks that are designed to be performed by multiple people and frequently in teams of two. This means that firefighters on smaller crews are required to work harder than larger crews to accomplish multiple tasks. Additionally, as discussed earlier, firefighters on smaller crews will also be working longer than larger-sized crews. Working harder and longer in high heat and dangerous, stressful environments increases the likelihood of firefighters suffering an injury, or worse dying, as a result of overexertion.

The charts below highlight the cardiovascular impact on firefighters based on crew size for the first-arriving engine and truck company. The heart rates of firefighters of crew sizes ranging from two to five firefighters were measured as they

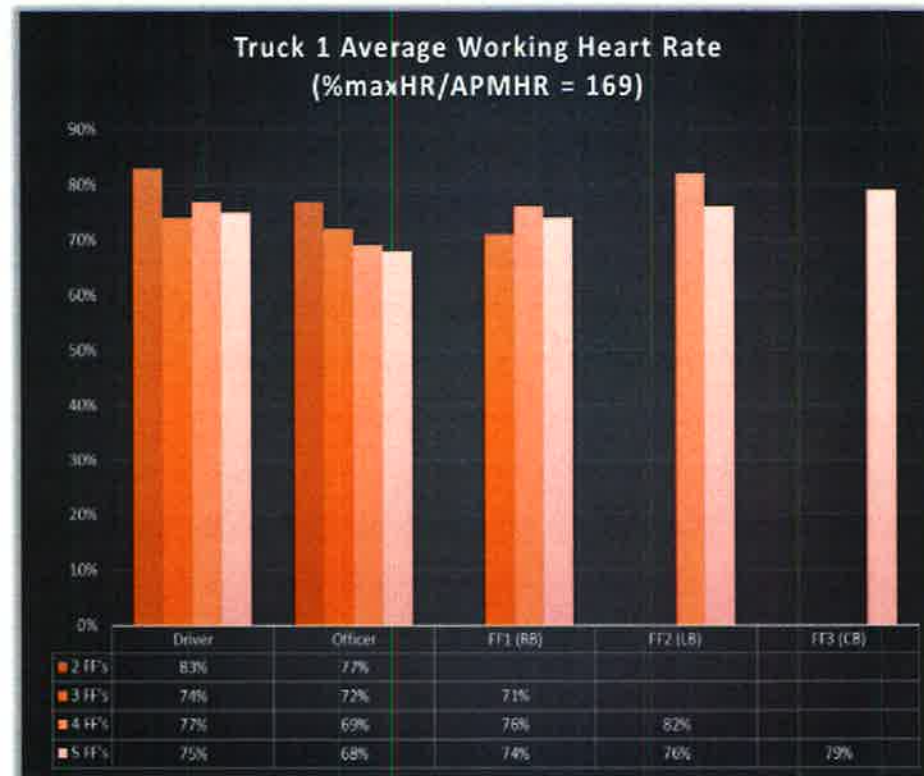
participated in the NIST study. The study was able to conclude that not only do smaller crews work harder and longer than larger crews, their heart rates are also more elevated for longer periods of time as well. This increases the risk of firefighters suffering an injury or death from overexertion. A firefighter suffering a medical emergency on the scene of a working fire, EMS, or rescue The incident negatively impacts outcomes and increases the risk to the community, the citizen requiring assistance, and the firefighter.



Average Peak Heart Rate of First Engine (E1) with Different Crew Sizes by Riding Position^[7]. Heart rates are expressed in the chart above as a percent of maximal age-predicted maximal HR. The average heart rates for firefighters on the first engine company were above 80% of age-predicted maximum values when only two firefighters were working. When staffing was at two firefighters, the driver of the apparatus had an average peak heart rate of nearly 90% of the age-predicted maximum. This is largely due to the number of additional tasks the driver must perform to prepare the engine to pump water to the fire and then join the officer to stretch hose to the fire. As can

be seen, the larger the crew size, the lower the heart rate^[8].

Decision-makers could potentially reduce their liability for firefighter injury and death by ensuring staffing is compliant with the minimum recommended industry standards of four firefighters per apparatus.



Average Peak Heart Rate of First Truck (T1) with Different Crew Sizes by Riding Position^[9]. In the above chart, heart rates are expressed as a percent of maximal age-predicted maximal HR. The average heart rates for firefighters on the first truck company were above 80% of age-predicted maximum values when only two firefighters were working^[10]. Decision-makers could potentially reduce their liability for firefighter injury and death by ensuring staffing is compliant with the minimum recommended industry standards of four firefighters per apparatus.

The Rapid Response

Uncontained fire in a structure grows exponentially with every passing minute. Any delay in the initiation of fire suppression and rescue operations, such as the five- to seven-minute delay that results from smaller-sized crews of firefighters, translates directly into a proportional *increase* in expected property, life, and economic losses as is shown in the table below. It warrants emphasizing that if a structure has no automatic suppression or detection system, a more advanced fire may exist by the time the fire department is notified of the emergency and is able to respond. Fires of an extended duration weaken structural support members, compromising the structural integrity of a building and forcing operations to shift from an offensive to defensive mode.^[11] As with inadequate staffing, this type of operation will continue until enough resources can be amassed to mitigate the event.

In the NIST study on the low-hazard residential fire, researchers also used fire modeling to mark the degree of the toxicity of the environment for a range of growth fires (slow, medium, and fast). Occupant exposures were calculated both when firefighters arrive earlier to the scene, and when arriving later. The modeling showed that the longer it takes for firefighters to rescue trapped occupants, the greater the risk posed to both the firefighters and occupants by increasing atmospheric toxicity in the structure.

Rate Per 1,000 Fires			
Flame Spread:	Civilian Deaths	Civilian Injuries	Average Dollar Loss per Fire
Confined fires (identified by incident type)	0.00	8.7	\$200
Confined to object of origin	0.4	11.1	\$1,200
Confined to room of origin, including confined fires by incident type ¹⁹	1.8	23.8	\$4,000
Beyond the room, but confined to floor of origin	16.2	76.3	\$35,000
Beyond floor of origin	24.6	55.0	\$65,900

The Relationship between Fire Extension and Fire Loss^[13].

The above table displays the rates of civilian injuries and deaths per 1,000 fires, as well as the average property damage. Following the far-left column from top to bottom, each row represents a more advanced level of fire involvement in a residence. Typically, the more advanced the fire, the larger the delay in suppression.

Assuming an early discovery of a fire, companies staffed with larger crew sizes help to minimize deaths, injuries, and property loss. This highlights why a five- to seven-minute delay in suppression activities by smaller-sized crews results in higher economic losses to a residence.

Conclusion

As explained by the Commission on Fire Accreditation International, Inc. in its "Creating and Evaluating Standards of Response Coverage for Fire Departments" manual, "If resources arrive too late or are understaffed, the emergency will continue to escalate...What fire companies must do, if they are to save lives

and limit property damage, is arrive within a short period of time with adequate resources to do the job. To control the fire before it reaches its maximum intensity requires geographic dispersion (distribution) of technical expertise and cost-effective clustering (concentration) of apparatus for maximum effectiveness against the greatest number and types of risks.” Optimally, there needs to be a balance between both elements.

Credits & Footnotes

International Association of Fire Fighters, Fire & EMS Operations

- [1] Averill, J.D. et al. (2010).
Report on Residential
Fireground Field
Experiments. NIST Technical
Note 1661. **National
Institute of Standards and
Technology**; Gaithersburg,
MD, April 2010.

- [2] Ibid

- [3] One-minute and two-minute arrival stagger times were determined from analysis of deployment data from more than 300 U.S. fire departments responding to a survey on fire department operations conducted by the International Association of Fire Chiefs and the International Association of Firefighters.
- [4] Averill, J.D. et al. (2010). Report on Residential Fireground Field Experiments. NIST Technical Note 1661. National Institute of Standards and Technology; Gaithersburg, MD, April 2010
- [5] Fahy, R.F., Molis, J.L. (June 2019) Firefighter Fatalities in the United States-2018. NFPA.
- [6] Albert, C.A., Mittleman, M.A., Chae C.U., Lee, I.M., Hennekens, C.H., Manson, J.E. (2000) Triggering Sudden Death from Cardiac Causes by Vigorous Exertion. N Engl J Med 343(19):1355-1361

- [7] Riding positions for the chart are as follows: Driver, Officer, Firefighter1-Right Bucket (RB) seat, Firefighter 2- Left Bucket (LB) seat, Firefighter 3-Center Bucket (CB) seat. A fire company that is staffed with 2 will consist of a Driver and an "Officer."
- [8] Smith, D.L., Benedict, R. Effect of Deployment of Resources on Cardiovascular Strain of Firefighters. April 2010. Pp 5-7
- [9] Riding positions for the chart are as follows: Driver, Officer, Firefighter 1-Right Bucket (RB) seat, Firefighter 2- Left Bucket (LB) seat, Firefighter 3- Center Bucket (CB) seat. A fire company that is staffed with 2 will consist of a Driver and an "Officer."
- [10] Smith, D.L., Benedict, R. Effect of Deployment of Resources on Cardiovascular Strain of Firefighters. April 2010, p. 5-7.

- [11] According to the NFPA, “it’s important to realize that every 250 GPM stream applied to the building can add up to one ton per minute to the load the weakened structure is carrying.”

- [12] NFIRS 5.0 has six categories of confined structure fires, including cooking fires confined to the cooking vessel, confined chimney or flue fire, confined incinerator fire, confined fuel burner or boiler fire or delayed ignition, confined commercial compactor fire, and trash or rubbish fire in a structure with no flame damage to the structure or its contents. Homes include one- and two-family homes (including manufactured housing) and apartments or other multifamily housing. These statistics are national estimates based on fires reported to U.S. municipal fire departments and so exclude fires reported only to federal or state agencies. National estimates are projections. Casualty and loss projections can be heavily influenced by the inclusion or exclusion of one unusually serious fire. Property damage has not been adjusted for inflation.

- [13] National Fire Protection Association, NFPA 1710 (2020), Table A.5.2.2.2.1 Fire Extension in Residential Structures, 2012-2016.

With + 9 new FT and 18 command staff

	Revenue	Expense	Projected Deficit
2024	\$2,751,164.00	\$3,650,577.00	\$(899,413.00)
2025	\$2,755,377.54	\$6,578,992.55	\$(3,823,615.01)
2026	\$2,947,760.32	\$4,223,587.33	\$(1,275,827.01)
2027	\$2,975,525.51	\$4,365,729.95	\$(1,390,204.44)
2028	\$3,003,678.56	\$4,279,066.84	\$(1,275,388.28)
2029	\$3,032,225.01	\$4,542,692.75	\$(1,510,467.74)
2030	\$3,061,170.47	\$5,166,789.22	\$(2,105,618.75)
2031	\$3,090,520.63	\$5,305,411.25	\$(2,214,890.63)
2032	\$3,120,281.26	\$5,448,077.48	\$(2,327,796.22)
2033	\$3,150,458.23	\$5,594,908.08	\$(2,444,449.85)
2034	\$3,181,057.48	\$5,746,026.84	\$(2,564,969.36)
2035	\$3,212,085.04	\$5,901,561.22	\$(2,689,476.17)
Total	\$36,281,304.05	\$60,803,420.51	\$(24,522,116.46)
Total / 12 years	\$3,023,442.00	\$5,066,951.71	\$(2,043,509.71)

With + 12 new FT and 21 command staff

	Revenue	Expense	Projected deficit
2024	\$2,751,164.00	\$3,650,577.00	\$(899,413.00)
2025	\$2,755,377.54	\$6,578,992.55	\$(3,823,615.01)
2026	\$2,947,760.32	\$4,223,587.33	\$(1,275,827.01)
2027	\$2,975,525.51	\$4,365,729.95	\$(1,390,204.44)
2028	\$3,003,678.56	\$4,279,066.84	\$(1,275,388.28)
2029	\$3,032,225.01	\$4,542,692.75	\$(1,510,467.74)
2030	\$3,061,170.47	\$5,166,789.22	\$(2,105,618.75)
2031	\$3,090,520.63	\$5,305,411.25	\$(2,214,890.63)
2032	\$3,120,281.26	\$5,448,077.48	\$(2,327,796.22)
2033	\$3,150,458.23	\$6,144,359.64	\$(2,993,901.41)
2034	\$3,181,057.48	\$6,311,961.94	\$(3,130,904.46)
2035	\$3,212,085.04	\$6,484,474.38	\$(3,272,389.33)
Total	\$36,281,304.05	\$62,501,720.34	\$(26,220,416.29)
Total / 12 years	\$3,023,442.00	\$5,208,476.70	\$(2,185,034.69)

With + 15 new FT and 24 command staff

	Revenue	Expense	Projected Deficit
2024	\$2,751,164.00	\$3,650,577.00	\$(899,413.00)
2025	\$2,755,377.54	\$6,778,992.00	\$(4,023,614.46)
2026	\$2,947,760.32	\$4,429,586.76	\$(1,481,826.44)
2027	\$2,975,525.51	\$4,577,909.36	\$(1,602,383.85)
2028	\$3,003,678.56	\$4,497,611.64	\$(1,493,933.08)
2029	\$3,032,225.01	\$4,767,793.89	\$(1,735,568.88)
2030	\$3,061,170.47	\$5,398,643.40	\$(2,337,472.93)
2031	\$3,090,520.63	\$5,544,221.06	\$(2,453,700.43)
2032	\$3,120,281.26	\$5,694,051.58	\$(2,573,770.32)
2033	\$3,150,458.23	\$6,947,163.40	\$(3,796,705.17)
2034	\$3,181,057.48	\$7,138,849.82	\$(3,957,792.33)
2035	\$3,212,085.04	\$7,336,168.89	\$(4,124,083.84)
Total	\$36,281,304.05	\$66,761,568.80	\$(30,480,264.75)
Total / 12 years	\$3,023,442.00	\$5,563,464.07	\$(2,540,022.06)

Miami University

2023 Assessed Valuation of Exempted Real Property

- Miami University Assessed Valuation of Exempted Real Property for 2023 tax year is \$254,087,880.
- A 2.15 mill levy equates to \$546,289 in property tax revenue from Miami University.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Police Division
PREPARED BY:	Geoff Robinson
DATE PREPARED:	3/26/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	A Resolution Declaring Certain City Property No Longer Needed For Any Municipal Purpose as Surplus and Authorizing its Advertisement and Sale to the Highest Bidder at Public Auction or Internet Auction. (Lt. Geoff Robinson, Division of Police)
COUNCIL GOAL AREA:	Essential Services
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	GWR // DRE

DISCUSSION:

The listed vehicle(s) have reached the end of useful service to the Police Division. Staff requests authorization to declare the vehicles as surplus so they may be taken out of service. Staff recommends that the council approve the city manager to auction the following surplus vehicle(s):

1. Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119
2. Unit #147, 2007 FORD Crown Victoria, VIN #2FAFP71W17X102507
3. Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567

This Resolution will authorize the City Manager to dispose of the above reference vehicles by public auction, including an Internet electronic auction, at the earliest convenience of the City.

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER AT PUBLIC AUCTION OR INTERNET AUCTION.

WHEREAS, Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119, Unit #147, 2007 FORD Crown Victoria, VIN #2FAFP71W17X102507, and Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567 are no longer needed for Police Division operations; and

WHEREAS, the City Manager and the Police Chief recommend that Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119, Unit #147, 2007 FORD Crown Victoria, VIN #2FAFP71W17X102507, and Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567 be declared surplus and that the same be advertised and sold to the highest bidder at public auction or internet auction at the earliest convenience of the City.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and hereby declares that Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119, Unit #147, 2007 FORD Crown Victoria, VIN #2FAFP71W17X102507, and Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567 are surplus.

SECTION 2: Council further authorizes the advertisement and sale of Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119, Unit #147, 2007 FORD Crown Victoria, VIN #2FAFP71W17X102507, and Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567 to the highest bidder at public auction or internet auction, with proceeds thereof deposited in the General Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



Oxford Division of Police
101 East High Street
Oxford, Ohio 45056

Dispatch: 513.523.4321
Office: 513.524.5240
Fax: 513.524.9111

Email:
police@cityofoxford.org

Website:
www.cityofoxford.org/police

ADMINISTRATIVE STAFF

Chief of Police
John A. Jones
513.524.5247
jjones@cityofoxford.org

Operations
Lt. Geoff Robinson
513.524.5258
grobinson@cityofoxford.org

Support Services
Lt. Lara Fening
513.524.5242
lfening@cityofoxford.org

Sgt. Ryan Sikora
513.524.5253
rsikora@cityofoxford.org

Office Manager
Amy Gabbard
513.524.5247
agabbard@cityofoxford.org

INVESTIGATIONS SUPERVISOR

Sgt. Adam Price
513.524.5259
aprice@cityofoxford.org

PATROL SUPERVISORS

Sgt. David King
513.524.5282
dking@cityofoxford.org

Sgt. Josh Jenkins
513.524.5233
jjenkins@cityofoxford.org

Sgt. Matt Hatfield
513.524.5244
mhatfield@cityofoxford.org

Sgt. Ben Hool
513.524.5254
bhool@cityofoxford.org

MEMO

To: Chief John Jones
From: Lt. Geoff Robinson
Date: 22 MAR 2024
RE: Surplus Fleet Vehicles

The following vehicles have reached the end of their useful life for the division and are considered surplus vehicles. I recommend they be disposed of via internet auction as soon as practicable via standard practice.

#1 - Unit #111, 2011 CADILLAC CTS, VIN #1G6DC1ED2B0123119



#2 - Unit #147, 2007 FORD Crown Victoria, VIN #2FAP71W17X102507





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agabbard@cityofoxford.org

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aprice@cityofoxford.org

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mhatfield@cityofoxford.org

Sgt. Ben Hool
513.524.5254
bhool@cityofoxford.org

#3 - Unit #9567, 2009 DODGE Dakota, VIN #1D3HW38P09S800567





The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	3/25/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	A Resolution Placing A Moratorium, Not To Exceed Twelve (12) Months, On Alley Development Within The City Of Oxford, Ohio. (Sam Perry, Community Development Director)
COUNCIL GOAL AREA:	Service Excellence
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve as written
CITY MANAGER/DEPT HEAD APPROVAL:	SP DRE

DISCUSSION:

The 2023 Oxford Tomorrow Comprehensive Plan outlines objectives to promote increased dwelling unit density, expand accessory dwelling units (ADU's), promote quality development, enhance community character and promote city services excellence. Staff and Planning Commission have observed an incremental increase in the number of single-family dwellings being constructed on alley lots since 2017. Alleys are primarily concentrated in the historic Mile Square area. In 2017, the zoning code text was amended to remove the entrance location requirement. The previous requirement acted as a safeguard to what has been found to be challenging buildings to serve. Buildings on alley lots present service challenges because of the lack of visibility, limited public infrastructure and difficulty to physically access by large service trucks such as fire apparatus and garbage collection vehicles.

Large service trucks and fire trucks are on longer wheel chassis with larger turning radii and wider and taller vehicle profiles. This makes access to buildings in alleys sometimes restricted due to topographic changes, narrow alley widths, encroaching vegetation, lack of hard surfaces, and overhead utility lines.

Departmental staff have periodically discussed these concerns as buildings have been added to the inventory. In light of the Comprehensive Plan objectives for housing density, staff would like to have a dedicated time period to evaluate potential solutions and bring forward for Planning Commission and Council consideration. During this period of up to one year, single-family building permits for lots that

only front on alleys and not a public street, would not be permitted. Staff has identified 49 parcels that this moratorium would affect.

RESOLUTION NO.

A RESOLUTION PLACING A MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS, ON ALLEY DEVELOPMENT WITHIN THE CITY OF OXFORD, OHIO.

WHEREAS, pursuant to the Ohio Constitution and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality; and

WHEREAS, Ohio Revised Code Section 713.09 enables a municipal legislative authority, in the interest of the promotion of the public health, safety, convenience, comfort, prosperity, or general welfare, to regulate the bulk and location of buildings and other structures including percentage of lot occupancy, set back building lines, and area of yards, courts, and other open spaces; and

WHEREAS, per Section 8.04 of the City of Oxford Charter, the Planning Commission may act as the Platting Commission of the municipality, and as such shall provide for planning and zoning regulations, 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; and

WHEREAS, the City of Oxford Planning and Zoning Code (constituting Part Eleven of the Codified Ordinances) currently permits development of single-family dwellings on nonconforming alley lots which are at least 3,000 square feet in size and also possessing at least 33 feet in overall lot width, provided there is conformance with height, lot coverage, vehicular access and yard or setback requirements per the underlying zoning district; and

WHEREAS, the City of Oxford Planning and Zoning Code was amended in September 2017, by Ord No. 3430, to exempt development on alley lots from the requirement that any principal public entrance be *upon a street* bordering such lot [emphasis added]; and

WHEREAS, the change to the Zoning Code in 2017 has provoked the development of several detached dwelling units on sites fronting exclusively on public alleys, which in contrast to standard developments fronting upon public or private streets, have shown to pose unique challenges in terms of obstructions to emergency access, public infrastructure improvements; proper drainage; and appropriate off-street parking arrangements; and

WHEREAS, the Oxford Tomorrow Comprehensive Plan lays out a number of objectives to promote quality development, enhanced character, and service excellence; and

WHEREAS, presently, it is estimated there are 49 parcels totaling at least 3,000 square feet in size and fronting exclusively on one or more alleys without direct frontage on a public street, inclusive of those that are already developed with commercial or residential uses; and

WHEREAS, the procurement of alley sites throughout the Oxford Mile Square for additional residential development is ongoing and will likely continue in an undesirable and unsustainable fashion if a permanent legislative fix is not instituted; and

WHEREAS, City of Oxford staff in cooperation with the Planning Commission will research and develop amendments to the Planning and Zoning Code to more explicitly define regulations applicable to alley sites and/or rear portions of properties – including, but not limited to: setbacks, lot coverage, and building/entrance orientation – in an effort to address the objectives of the Oxford Tomorrow Comprehensive Plan in a balanced manner which does not compromise or critically endanger the public health, safety and general welfare of the citizens of Oxford; and

WHEREAS, as part of an effort to amend relevant Planning and Zoning Code standards, other amendments may also be proposed to the local Building Code, Property Maintenance Code, public infrastructure specifications, and the like, for the purpose facilitating development on alley sites and/or rear portions of properties in a more cohesive, safe and sensible manner; and

WHEREAS, the City Staff may make periodic reports to Council regarding the status of amending regulations which influence alley development; and

WHEREAS, the Moratorium will expire automatically after twelve (12) months unless extended for good cause by Council.

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

SECTION 1: Oxford City Council hereby approves the moratorium, not to exceed twelve (12) months.

SECTION 2: For the purposes of applying the provisions contained in Sections 3 through 5 of this Resolution, the City of Oxford staff shall have the authority to reasonably determine which thoroughfares constitute “public alleys,” which may be inclusive of Heather Lane as well as any other unnamed and/or unimproved alley.

SECTION 3: No new single-family dwellings shall be authorized for construction on parcels that front exclusively on one or more public alleys or that have no frontage on a public right-of-way at all, and thus do not have frontage on a public or private street; for specificity, the map attached as Exhibit A identifies the exact areas of the city to which this restriction applies.

SECTION 4: No new minor resubdivisions, lot splits or consolidations shall be authorized by the Planning Commission, such that the final condition results in one or more parcels with frontage exclusively on a public alley.

SECTION 5: The restriction set forth in Section 4 does not apply in instances where one or more property owners voluntarily propose, or agree, to consolidate one or more pre-existing parcels such that the final condition results in none of the involved parcels having frontage

exclusively on a public alley, provided the proper approval process is followed pursuant to Chapter 1101 of the Planning and Zoning Code;

SECTION 6: It is hereby found and determined that all formal actions of this Council relating to the adoption of this Resolution have been taken at an open meeting of this Council; and that any and all deliberations of this Council and of any of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7: This Resolution is hereby declared to be a measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Oxford and shall be in full force and effect immediately upon adoption.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MAYOR WILLIAM SNAVELY

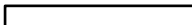
PREPARED BY: COMMUNITY DEVELOPMENT (STAFF)
CHECKED BY: LAW (STAFF)

Alley Development Moratorium

EXHIBIT A

-  Parcel Boundaries
-  Areas where
Restrictions in
Section 3 apply
-  Railroads



750
 Feet

Date: 3/25/2024
11:11 AM



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.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	3/26/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	A Resolution Authorizing The City Manager To Develop A Design And Cost Estimation Proposal For A Permanent Public Restroom In The Dr. Martin Luther King Jr. Uptown Park. (Sam Perry, Community Development Director)
COUNCIL GOAL AREA:	Economic Development
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approve.
CITY MANAGER/DEPT HEAD APPROVAL:	SP DRE

DISCUSSION:

In 2022, in response to public demand, City staff began looking into potential locations to construct a public restroom. Enjoy Oxford and the Oxford Chamber of Commerce committed to assist with a public restroom in order to advance the process. An architecture firm evaluated several options around the Uptown Parks area. In 2023, it became apparent to the Service and Parks and Recreation Departments that the Uptown fountain and splash pad is in need of replacement. Current code requires a bathroom within close proximity. The City retained an additional architect to consider options and create concepts for the Historic and Architectural Preservation Commission. The Commission reviewed concepts and provided feedback. City staff are now at a point where the progress of the fountain and splash pad replacement is being delayed by the lack of a restroom plan. City staff are requesting that City Council consider a location within the Dr. Martin Luther King Jr. Uptown Park for a permanent public restroom. This is the closest proximity to the fountain while being on the edge of the green space area. Additionally, the Service Department has identified problem tree roots in this location that also need to be removed.

The design details are not yet determined but will be as part of the design and estimation process. Initial concepts focused on accomplishing multiple public goals, minimizing the impact on green space, using low-maintenance exterior materials and inclusion of public art. Staff have discussed the different

potential operational funding models, possibly limiting the restroom usage to events only. During the design and estimation process, staff will continue to study operational models that balance the objectives of public safety, maintenance cost and economic activity.

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO DEVELOP
A DESIGN AND COST ESTIMATION PROPOSAL FOR A PERMANENT
PUBLIC RESTROOM IN THE DR. MARTIN LUTHER KING JR.
UPTOWN PARK.**

WHEREAS, there is currently no public restroom available during high-demand events in the Uptown Parks; and

WHEREAS, the existing fountain splash pad is in need of replacement and now requires a restroom within 100 feet; and

WHEREAS, the 2023 Oxford Tomorrow Comprehensive Plan identifies two related objectives: 1) Maintain and improve existing parks and recreation facilities and 2) Attract visitors to Oxford year-round; and

WHEREAS, the Oxford Chamber of Commerce, Enjoy Oxford and the City of Oxford have committed funds toward building a public restroom located Uptown; and

WHEREAS, the City has obtained public restroom concepts from two architectural firms; and

WHEREAS, the Historic and Architectural Preservation Commission has reviewed conceptual designs; and

WHEREAS, concurrence from City Council is needed to substantially alter public park space; and

WHEREAS, a detailed design and construction estimation for a restroom is needed to move forward with the fountain and splash pad replacement.

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

SECTION 1: Oxford City Council hereby approves the resolution, allowing for the City Manager to obtain detailed design and construction estimations for the placement of a public restroom in the Dr. Martin Luther King Jr. Uptown Park.

SECTION 2: This resolution shall be effective on the earliest date allowable by law.

MAYOR

ADOPTED:

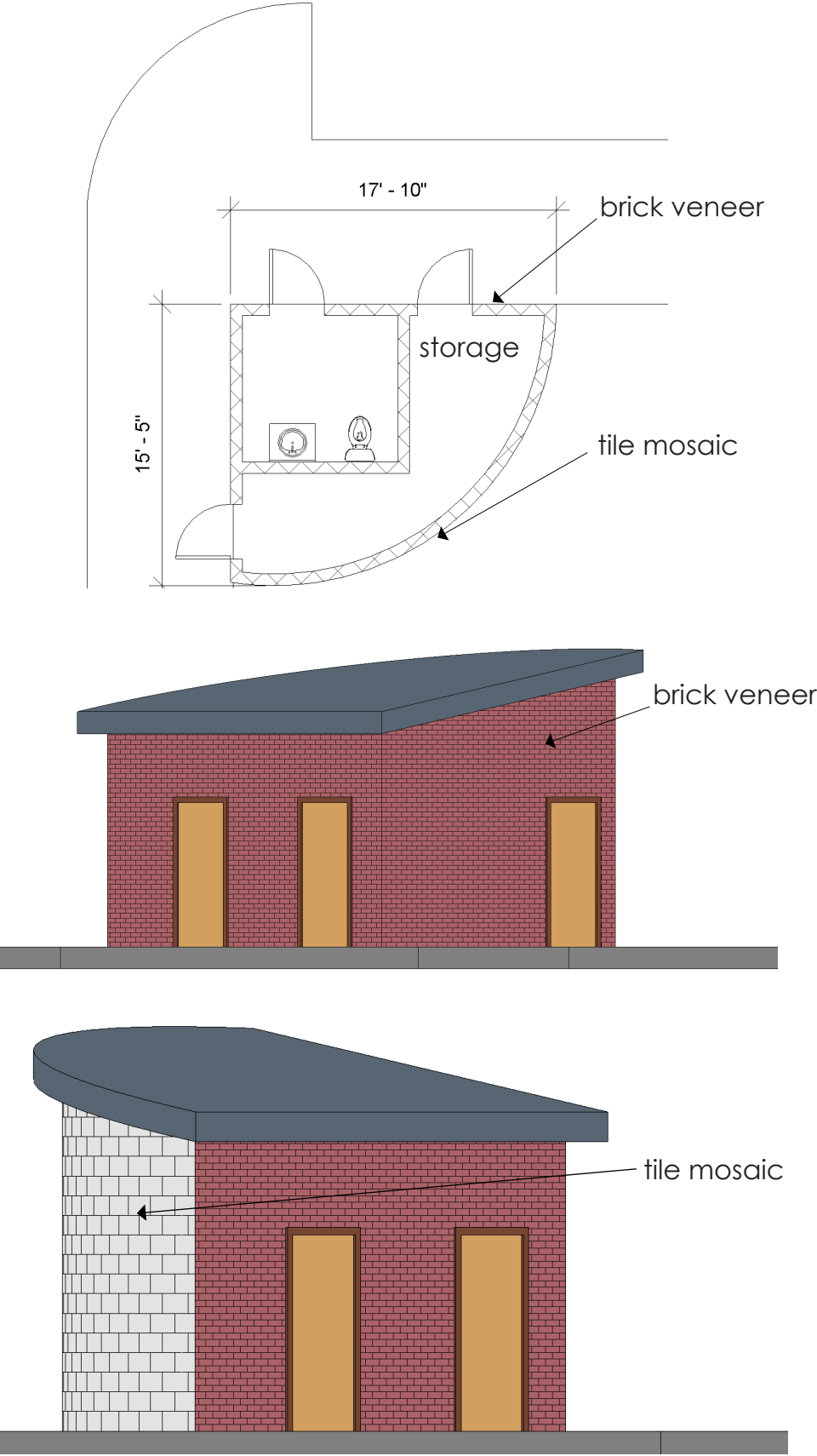
ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MAYOR WILLIAM SNAVELY

PREPARED BY: COMMUNITY DEVELOPMENT (STAFF)
CHECKED BY: LAW (STAFF)

Schematic Plan 2



Site Plan





The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Heather Barbour
DATE PREPARED:	3/27/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	A Resolution Opposing Partisan Gerrymandering and Supporting a Proposed "Citizens Not Politicians" Initiative for Balanced Legislative Districts in Ohio. (David Prytherch, Councilor)
COUNCIL GOAL AREA:	
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	DRE

DISCUSSION:

Item requested by Councilor Prytherch.

RESOLUTION NO.

A RESOLUTION OPPOSING PARTISAN GERRYMANDERING AND SUPPORTING A PROPOSED “CITIZENS NOT POLITICIANS” INITIATIVE FOR BALANCED LEGISLATIVE DISTRICTS IN OHIO.

WHEREAS, Ohioans, in adopting our Constitution to secure the blessings of freedom and promote our common welfare, created a representative democracy that vested the legislative power of the state in a general assembly democratically chosen by the electors; and

WHEREAS, the representative nature of any legislature is distorted and diminished by the manipulation of legislative districts solely for the political advantage of one party over another, undermining public confidence in the legitimacy of its institutions and laws; and

WHEREAS, Ohio citizens overwhelmingly approved amendments to the Ohio Constitution, in 2015 for Ohio legislative districts and in 2018 for Congressional districts, that mandated that Ohio redistricting plans be created that do not favor any political party; and

WHEREAS, the Ohio Redistricting Commission, comprised solely of politicians, did not follow these provisions in the Ohio Constitution in creating redistricting plans, resulting in the Ohio Supreme Court declaring, 7 times, that the maps created by the commission were unconstitutional; and

WHEREAS, democracy in Ohio is poorly served when voting maps and resulting legislatures are not representative of the electorate and politicians aren’t accountable to voters; and

WHEREAS, a fair process for creating voting maps will significantly benefit voters and governments at all levels in our state, restoring confidence in democracy; and

WHEREAS, there is an initiative underway in the state of Ohio to gather signatures on a petition to replace the current redistricting process. This initiative, called Citizens Not Politicians will, if certified, place an amendment on the November 2024 Ohio ballot creating the Ohio Citizens Redistricting Commission; and

WHEREAS, this independent commission will be comprised of an equal number of Republicans, Democrats, and Independents that represent the different geographic areas and demographics of Ohio; will prohibit current and former politicians and lobbyists from serving on the commission; will require fair and impartial districts by making it unconstitutional to draw maps that favor any political party or individual politician; and will require the commission to operate under an open and independent process that relies upon impartial map-drawing specialists.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Improper and unconstitutional partisan gerrymandering has no proper place in Ohio and corrodes democracy in our state, with negative consequences for local communities and Ohioans.

SECTION 2: The Council of the City of Oxford stands in support of citizen-led initiatives to reform our redistricting process to end gerrymandering to ensure fairly-drawn, non-partisan districts.

SECTION 3: We support the Citizens Not Politicians initiative and encourage local residents to educate themselves on these issues, consider signing petitions currently circulating to place this measure on the ballot, and have a say in November whether our districts are drawn by partisan politicians or by the citizens of Ohio.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: DAVID PRYTHERCH

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	Heidi Hill
DATE PREPARED:	3/26/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	A Resolution Accepting the Insurance Bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's Property and Casualty Insurance Coverage for 2024. (Heidi Hill, Finance Director)
COUNCIL GOAL AREA:	Essential Operation
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	Heidi Hill DRE

DISCUSSION:

Staff is requesting Council to approve the property and casualty insurance renewal of up to \$254,539 for 2024. This represents a \$34,540 increase over last year's cost of \$219,999. The primary increase is due to market conditions as well additional property and vehicles added to the policy. Insurance premiums will be paid on a semiannual basis. Tokio Marine – HCC Public Risk Ohio will be the carrier again this year. They have been our carrier since our April 1, 2009 policy year. Our agent, Love Insurance, Inc., did inform us of increased deductibles included in the renewal. With the passage of this Resolution, we will renew our policy to avoid lapse in coverage, however, we will shop the market for a better option with less deductibles.

HCC offers our \$10 million umbrella over six areas: General Liability which includes fire department EMT liability and sexual abuse and molestation, Law Enforcement Professional Liability, Auto Liability, Public Officials Errors and Omissions, Employment Practices Liability and Employee Benefits Errors and Omissions each with \$10 million in excess coverage. Most other carriers would offer \$10 million in excess in total.

RESOLUTION NO.

A RESOLUTION ACCEPTING THE INSURANCE BID OF INSURANCE SPECIALIST GROUP, INC., DBA LOVE INSURANCE PARTNERS FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE COVERAGE FOR 2024.

WHEREAS, Insurance Specialist Group, Inc., dba Love Insurance Partners (hereinafter 'Love Insurance Partners') submitted an insurance bid not to exceed \$254,539.00 for the City's property and casualty insurance coverage for 2024, a \$34,540.00 increase over last year's cost of \$219,999.00; and

WHEREAS, the City Manager and the Finance Director recommend Council accept the insurance bid of Love Insurance Partners not to exceed \$254,539.00 for the City's property and casualty insurance coverage for 2024.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Finance Director and accepts the insurance bid of Love Insurance Partners not to exceed \$254,539.00 for the City's property and casualty insurance coverage for 2024.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	Heidi Hill
DATE PREPARED:	3/26/2024
COUNCIL MEETING DATE:	April 2, 2024
AGENDA TITLE:	An Ordinance Amending Ordinance No. 3750 Supplemental Budget Ordinance #2 to Make Supplemental Appropriations for Fiscal Year 2024. (Heidi Hill, Finance Director)
COUNCIL GOAL AREA:	Essential Operation
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	Heidi Hill DRE

DISCUSSION:

Issue 1: \$113,267 - OAT Fund (144)

To make adjustment to budgeted appropriations for the realignment design of the OATS trail.

Issue 2: \$7,200 – Affordable Housing Trust Fund (212)

To make adjustment to budgeted appropriation for the purchase of AirDNA to assist with enforcement of short term rental tax.

Issue 3: \$473,275 - Employee Benefit Fund (230)

To make adjustment to budgeted appropriation for previous supplemental transfers. This portion of Supplemental #1 was left off of legislation.

Issue 4: \$15,000 – Enforcement & Education (412)

To make adjustment to budgeted appropriation for Police Training.

Issue 5: \$143,000 – Fire/EMS Fund (418)

To make adjustment to budgeted appropriations for Fire/Ems salaries and benefits. The Union contract was negotiated and signed after the legislation for the 2024 Budget was passed. Therefore the additions/changes to the contract had to be brought back for approval as supplemental.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3750 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2024.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

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

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

OAT Capital Improvement Fund 144	113,267.00
Affordable Housing Trust Fund 212	7,200.00
Employee Benefit Fund 230	473,275.00
Enforcement & Education Fund 412	15,000.00
Fire/EMS Fund 418	143,000.00

SECTION 3: In all other respects, Ordinance No. 3750 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)