

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, December 18, 2012 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan, Kate Rousmaniere and Steve Snyder. John Harman was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

Mayor Keebler asked for a moment of silence in memory of the victims and families in Newtown, Connecticut.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Snyder seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

NOTICE TO LEGISLATIVE AUTHORITY

New permit for One T Inc. 10 W. Park Place First Floor Oxford, Ohio 45056.

Mr. Bogard moved to accept the notice without comment. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Bobbe Burke, 722 David Drive, noted Council received a copy of the new information guide for fraternity and sorority recruitment which would occur when Miami's second semester began. Ms. Burke advised this year the process would be different in transition to the new calendar which Council heard about at the last meeting. Ms. Burke noted the month of January would dramatically change in 2014 with the addition of a winter term. Ms. Burke advised in 2013 the sorority recruitment process would begin around January 18th instead of before classes resumed for the second semester. Ms. Burke noted this was part of the transition to the new calendar. Ms. Burke advised it would be January 14, 2013 before a large contingent of Miami students were back on campus from winter break.

Ms. Burke advised this was the last time she would come before Council as the Coordinator of Off Campus Affairs and noted her job responsibilities at Miami would dramatically change in January.

Ms. Burke advised the Student Affairs Division at Miami was very committed to continuing the work her office had been doing over the last several years including educating students with regard to local laws and letting them know what the expectations were for being a responsible and respectful person in this community. Ms. Burke introduced Megan Donahue who would take on the responsibilities of the Off Campus Affairs office.

Ms. Megan Donahue, 712 S. Poplar Street, advised she was a 2011 graduate of Miami University and had been working for the Office of Community Engagement and Service since August. Ms. Donahue noted her current position coordinating volunteer and outreach programs would also be responsible for duties of the Off Campus Affairs office. Ms. Donahue advised she had the opportunity to meet a few Councilors and staff members and she was excited to work with everyone to educate Miami University students on how to be good neighbors and give back to the community.

Mayor Keebler welcomed Ms. Donahue and noted Council would miss Ms. Burke and all the work she had done with the City over the last several years. Ms. Burke noted she was sure that Council would provide equal support to Ms. Donahue to continue the work of the Off Campus Affairs office.

Ms. Liz Mullenix, advised she was a resident of Oxford and the Chair of the Theater Department at Miami University. Ms. Mullenix noted she supported the efforts to keep the Princess Theatre in Oxford as it had been important to her family and to herself. Ms. Mullenix advised as someone in the arts she felt the theater was great for students to stay current and not have to travel outside of town to see good acting. Ms. Mullenix noted as someone who often tried to recruit faculty to Miami, anything that made Oxford a town that kept people here, and not cause them to go to Cincinnati was a huge asset for the community. Ms. Mullenix advised as a mother she wished her 17 year old son did not have to travel to Hamilton on two lane roads at nighttime to see a movie. Ms. Mullenix noted both personally and professionally the Princess Theatre had been an important place in this community for her.

Ms. Devra Levy, 214 W. Withrow Street, advised she was at the last Council meeting and presented Council with the petition from Talawanda High School, members of the community and the Talawanda Middle School asking City Council to try to keep a movie theater in Oxford. Ms. Levy noted she was before Council again to say that the Princess Theatre was a deeply rooted part of her memories of growing up in Oxford and the longer it was gone the more its loss had been felt for her as well as many other people she knew. Ms. Levy asked on behalf of herself and her peers that City Council did whatever they could to keep this important part of the community alive.

Ms. Carole Katz, 214 W. Withrow Street, advised she appreciated Council looking into the Princess Theatre issue and noted it was wonderful that Council was not just thinking about the bottom line. Ms. Katz applauded Council for their commitment to community and advised she respected what a difficult decision they had before them. Ms. Katz noted she attended the last Council meeting and the Work Session this evening and noticed that so many parts of the Oxford community came to the podium to speak including high school students, college students, professors and people who enjoyed going to the movies. Ms. Katz advised that said a lot about the place this theater had in the community.

Ms. Katz noted when she was the co-chair of the Student Community Relations Commission and when she was involved with the Northwest Mile Square Neighborhood Association they spent a lot of time talking about how to get students and non-students to live side by side in a good way and a movie theater was a perfect place for that. Ms. Katz advised at a movie theater you see a mix of people with regard to age, politics, income and religion and it was important to keep that in the community and she knew Council recognized that and was working towards that. Ms. Katz noted she was at the meeting for 'Friends of the Princess' and all of the people there and people she had spoken to since then were happy to work with Council to form a partnership, advisory council or whatever they could do to help Council in their commitment to support the theater. Ms. Katz advised \$200,000 was a lot of money and she looked at it like buying time and investing in possibilities to make the community a greater place to go. Ms. Katz noted her hope for a positive outcome.

Mr. Jack Gillespie, 1328 Dana Drive, advised he would be lying if he said he didn't love the Princess Theatre and noted for nearly a decade it had been a source of fun and entertainment for himself, his family and friends. Mr. Gillespie advised he did not support the Resolution to donate money to save the theater and noted subsidizing a private business was not a core function of government. Mr. Gillespie advised we lived in a country that was already overextended by subsidizing and bailing out private banks, auto companies and insurance companies while the nation was still feeling the effects of a horrific economic downturn. Mr. Gillespie noted it was not fair to focus time energy and money into subsidizing a private business that not everyone in town used. Mr. Gillespie advised in a market economy the best businesses succeeded and the bad ones failed and he felt it said something when consumers were not able to support a private business by itself.

Mr. David Prytherch, 6195 Contreras Road, advised after researching the issue, in small towns like Oxford, the common model was a hybrid between a not for profit and a profit organization. Mr. Prytherch noted the market was tough for small town movie theaters and the communities that had saved them had done so with some degree of community support. Mr. Prytherch agreed with the last speaker that the City was not in the movie operating business and it should not be operating or subsidizing a movie theater. Mr. Prytherch noted as someone who took part in organizing the 'Friends of the Princess Theatre' group they imagined some kind of not for profit to support the theater in any way it could. Mr. Prytherch advised the assumption was that this needed to sustain itself as a community not as a municipal enterprise. Mr. Prytherch noted he felt the future of the Princess was that it would succeed or fail based on the community, private enterprise, a hybrid of private enterprise and community, philanthropic support and grant dollars. Mr. Prytherch reiterated that this would not be a municipal business and he didn't think anyone expected the City to go down that road.

Mr. Snyder inquired if it would be prudent for Mayor Keebler to summarize the Work Session discussion and the status of the theater for the public and for the citizens who arrived after the Work Session.

Mayor Keebler advised the City originally had a verbal offer from the owner of the Princess Theatre to donate it to the City.

Mayor Keebler noted after the agenda was set for the last meeting which included a Resolution to accept the donation; the City was informed that the owner wanted \$200,000 for furniture, fixtures and equipment. Mayor Keebler advised Council adopted the Resolution which reflected the original offer to donate the theater to the City. Mayor Keebler noted the City Manager had made overtures to the owner of the theater to proceed with their first verbal offer and donate the theater to the City. Mayor Keebler advised he was not sure if a majority of Council would be in favor of spending \$200,000 to purchase the theater at a reduced value. Mayor Keebler noted the owner indicated she would have an answer to the City by last Friday which was why a Work Session was scheduled for this evening. Mayor Keebler advised the City did not receive an answer from the owner as of today so there was nothing to discuss at the Work Session. Mayor Keebler noted Council could have taken a 'straw poll' at the Work Session to get a feeling of how many Council members were in favor of spending \$200,000 of the City's money and how many were not. Mayor Keebler advised if a majority of Council members were in favor there would be no incentive for the owner to donate the theater to the City. Mayor Keebler noted Council had to go public to adopt a Resolution to accept the donation based on the original offer. Mayor Keebler advised based on informal discussions he did not know if a majority of Council was in favor of spending \$200,000 and it was something Council would have to discuss in detail if they had the opportunity.

CONSENT AGENDA

MINUTES

Minutes of the December 4, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Snyder moved to approve the consent agenda. Mr. McKeehan seconded. The motion passed 6-0-0.

ORDINANCE **SECOND READING**

ORDINANCE **NEW SECTION 353.05**

An Ordinance No. 3196 Repealing Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amounts And Time Limitations" And Adopting New Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amounts And Time Limitations". (Bob Holzworth, Police Chief)

Mayor Keebler referred to the Ordinance on page 27 of the agenda and noted at the last meeting there was discussion regarding the need to leave provisions for multi-space meters in the Ordinance since the City did not currently have any multi-space meters.

Chief Holzworth advised he discussed the matter internally with his staff and the City may not utilize multi-space meters in the near future but it was an option they were exploring. Chief Holzworth recommended that the language remained intact to allow for that option.

Mr. Bogard inquired if multi-space meters would be similar to ones that used to be in Lot 52 and Chief Holzworth advised yes.

Mr. Bogard expressed concern that 30 minute meters at the Campus Avenue Building may not allow sufficient time for visitors to the offices housed there. Chief Holzworth advised his staff would survey that area and he was not opposed to increasing the time limit if it would be beneficial.

Mr. McKeehan moved to adopt Ordinance No. 3196. Mr. Snyder seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard,
Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott personally and publically thanked Ms. Burke for her assistance noting they had worked together since he was appointed City Manager in 2007. Mr. Elliott wished Ms. Burke well in her new role and noted he looked forward to working with Ms. Donahue.

Mr. Elliott advised at the December 10, 2012 meeting of the Lane Library Board of Directors a motion was approved to sign a letter of intent to negotiate with New Village Communities on the proposed development of the former Wal-Mart site. Mr. Elliott noted he expected the developer to move forward with the project and seek approval of the final development plan from the Planning Commission and City Council early next year. Mr. Elliott advised the proposed development would include 68 residential units and 40,000 square feet of retail space.

Mr. Elliott updated Council and the public on the status of House Bill 601 which was the Municipal Income Tax Uniformity Bill noting as it was currently written it would have an approximate \$50,000 negative impact on the City. Mr. Elliott advised the bill would not move out of committee this year and would be reintroduced during the next session. Mr. Elliott noted staff would follow the progress of the bill closely.

Mr. Elliott wished everyone a happy holiday.

Mr. Dreisbach wished everyone happy holidays.

Mayor Keebler noted the Police Department and the City lost a valuable volunteer last week and asked Chief Holzworth to comment so the public would realize.

Chief Holzworth advised the leader of the Citizens on Patrol (COP) Unit, Bart Young, passed away very suddenly and unexpectedly last Saturday. Chief Holzworth noted he had the occasion to meet with his wife and attend the funeral.

Chief Holzworth advised Mr. Young was a dynamic leader who received no pay and no acknowledgement although he gave hours and hours of his time to the City of Oxford. Chief Holzworth noted Mr. Young was less than 50 years of age. Chief Holzworth advised the City would stand by the family, as Bart had stood by the City, and offer any assistance it could. Chief Holzworth asked everyone to remember the Young family.

Chief Holzworth advised OPD increased patrols in the evening hours and substantially scaled up on the number of vacant house checks and would continue that for the duration of the winter break. Chief Holzworth encouraged everyone to report anything slightly unusual they saw to OPD so it could be investigated with the assistance of MUPD and the COP Unit.

Chief Holzworth wished everyone a Merry Christmas and a Happy New Year.

Mr. Chen wished everyone a happy holiday.

Mr. Kyger noted for those who celebrated Christmas that they had 7 days left to shop and encouraged everyone to shop locally. Mr. Kyger advised there were a lot of great shops in Oxford and urged everyone to take advantage of the free parking Uptown.

Ms. Eaton wished everyone happy holidays.

Mr. McHugh wished everyone happy holidays.

Mr. Bogard wished everyone happy holidays and encouraged those leaving town to get a vacant house card so the OPD could check on their houses. Mr. Bogard encouraged everyone to travel safely wherever they went.

Mr. Snyder echoed Mr. Elliott's comments and thanked Ms. Burke for her assistance to the City over the past several years. Mr. Snyder wished Ms. Burke well in her new position. Mr. Snyder wished everyone a happy holiday.

Mr. McKeehan commended Mr. Dreisbach for coordinating the hazardous waste pickup event in Oxford noting a number of citizens applauded the effort and asked if it could be done more frequently. Mr. McKeehan noted he would like to see the event occur in Oxford on a more regular basis. Mr. Dreisbach advised the goal was to schedule the event in Oxford twice a year, once in the fall, and once in the spring. Mr. Dreisbach noted the City was at the mercy of the Butler County Solid Waste District who paid for the program. Mayor Keebler noted the amount of effort on the part of the solid waste district was substantial.

Mr. McKeehan wished everyone a Merry Christmas and a happy holiday.

Ms. Rousmaniere inquired if staff could give a presentation on the US-27 South renovation project in early January. Ms. Rousmaniere noted the project was scheduled to begin in 2014 and citizens had asked her about the project which included the widening of US27 from Chestnut Street to just beyond the new high school and the installation of sidewalks. Ms. Rousmaniere advised this was an important project as US27 was a major gateway to Oxford. Ms. Rousmaniere noted she felt the public needed to be brought up to speed on the status of the project and be able to review design plans if they were available.

Mr. Elliott noted he discussed the matter briefly with Ms. Rousmaniere before the meeting this evening. Mr. Elliott advised the City had the Right-of-Way plans but did not have the plans for Phase II of the project. Mr. Elliott suggested that staff provide a presentation after the Phase II plans were available. Mr. Elliott noted the widening project would include turn lanes, curbing and gutters, and the installation of sidewalks on both sides of the road. Mr. Elliott advised the project was originally intended to go as far south as Stillwell Beckett Road but was reduced to within the City Limits due to funding issues. Mr. Elliott noted he would discuss the matter with Mayor Keebler and schedule a presentation for the community. Mr. Elliott encouraged citizens to contact his office or the Service Department with any questions.

Mr. Blackburn thanked Ms. Burke for her service noting it was greatly appreciated. Mr. Blackburn advised the town-gown relationship between the City and the university was fantastic compared to what it used to be.

Mr. Blackburn noted in light of the tragedies over the past week outside of Oxford, everyone should hug their children and families and tell them they were loved. Mr. Blackburn noted he felt the citizens in Oxford were fortunate.

Mr. Blackburn wished everyone a Merry Christmas, Happy New Year, safe travels and to have fun.

Mayor Keebler asked everyone to keep the people of Newtown, Connecticut in their thoughts and prayers over this holiday season. Mayor Keebler noted despite the best efforts of all of our educators and school systems to do what they could to protect, the incident in Newtown could have happened anywhere. Mayor Keebler noted by the grace of God it didn't happen here.

Mayor Keebler wished everyone a Merry Christmas, Happy New Year, and happy holidays.

Mayor Keebler advised the January 1, 2013 City Council meeting was cancelled and the next scheduled meeting was January 15, 2013.

ADJOURN

Mr. Bogard moved to adjourn at 8:06 p.m. Mr. Snyder seconded. The motion passed 6-0-0.