A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 15, 2011 at 7:30 p.m. Those members present were Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan. Kate Currie was excused.

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

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION COMMUNITY COUNSELING & CRISIS CENTER/ST. ALOYSIUS ORPHANAGE OF CINCINNATI, OHIO

Mr. James Robinson, noted he was pleased to present Carolyn Barker, Interim and Acting Director of the Community Counseling & Crisis Center and Alan Oak, a member of their Board. Mr. Robinson advised representatives from St. Aloysius were also present to make an announcement that would benefit the community and allow for the strong tradition of the Community Counseling & Crisis Center to continue as it had been in this community.

Mr. Alan Oak, on behalf of the Board of the Community Counseling & Crisis Center noted he was pleased to announce they were affiliating with the St. Aloysius organization to strengthen opportunities to serve clients in this portion of Butler County. Mr. Oak introduced Mr. Pank Goulet, Executive Director of St. Aloysius Orphanage of Cincinnati, Ohio.

Mr. Pank Goulet, noted it was a proud day for St. Aloysius to be able to formally announce this affiliation. Mr. Goulet advised next year St. Aloysius would be 175 years old and the Community Counseling & Crisis Center was coming up on its 50th year. Mr. Goulet noted the missions, visions and core values of both organizations matched identically. Mr. Goulet advised St. Aloysius had a history of working with children and troubled families and through this affiliation, services would be expanded in this portion of Butler County to provide cradle to grave services to anyone in need. Mr. Goulet noted no one would be rejected or turned away. Mr. Goulet advised he was honored and privileged to be before Council tonight to make this announcement.

Mr. Bogard advised having been a former Board Member and President of the Community Counseling & Crisis Center he was involved in the negotiation and affiliation process. Mr. Bogard noted St. Aloysius and the Community Counseling & Crisis Center provided outstanding mental health and counseling services for northwest Butler County. Mr. Bogard advised Council looked forward to St. Aloysius involvement and participation in the greater Oxford area.

PUBLIC COMMENTS

Mr. Matthew Steger, advised he was a student and had lived in Ohio for 5 years. Mr. Steger addressed Council regarding his safety concerns at the intersections of Beech and Withrow, Beech and Walnut, Walnut and Main, Walnut and Poplar, Collins and Main, Collins and Poplar and Collins and Campus. Mr. Steger advised he had researched accident reports which he provided to Council and noted 19 accidents had occurred at those intersections over the last two years. Mr. Steger noted he and a friend were involved in an accident at the intersection of Collins and Main. Mr. Steger advised he felt the root of the problem was the inability of the vehicles traveling east and west to properly see the vehicles traveling north and south as the line of sight was obstructed by vehicles parked on Main, Campus and Beech streets. Mr. Steger offered three proposals to assist with the problem as follows:

1. Post signs at the intersections stating "Thru Traffic Does Not Stop".
2. Increase the no parking areas along Main, Campus and Beech.
3. Turn the intersections into 4 way stops.

Mr. Steger asked Council to consider his concerns.

Mayor Keebler advised the information would be passed along to the City Manager and Police Chief for their comments.

CONSENT AGENDA

MINUTES

Minutes of the February 1, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 11, 2011 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 26, 2011 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the January 27, 2011 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

Report regarding the February 2, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 2, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Blackburn moved to approve the consent agenda. Mr. Harman seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
AGREEMENT WITH ODOT

A Resolution No. 4588 by the Oxford City Council authorizing the City Manager to execute an agreement with the Ohio Department of Transportation for the resurfacing of State Route 732 from Chestnut Street to the City of Oxford's northern corporate limits. (PID No. 77746) (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was the final legislation needed to make this project come to fruition. Mr. Dreisbach noted the contract was estimated to be $470,000 in total and the local share was $161,442. Mr. Dreisbach advised $150,000 was already budgeted for the local share and the balance was accounted for in the Supplemental Budget on tonight's agenda. Mr. Dreisbach noted if Council adopted the Resolution, ODOT would bid and manage the project with the work beginning in mid to late May.

Mr. Bogard advised it seemed anytime ODOT was involved in a project such as this the price escalated. Mr. Bogard asked Mr. Dreisbach to address the issue for the public.

Mr. Dreisbach advised ODOT charged a fair amount (10%) of the project cost for project inspection and since the City was not managing the project locally it was a cost that had to be paid. Mr. Dreisbach noted one had to weigh that with the benefit of the federal funds used to pay 80% of a project. Mr. Dreisbach advised some things were out of ODOT's control noting the price of oil could significantly impact the cost of asphalt and road materials.

Mr. Bogard moved to adopt Resolution No. 4588. Mr. Rutherford seconded. The motion passed 6-0-0.

RESOLUTION
HOUSE BILL 3

A Resolution No. 4589 expressing opposition to House Bill 3. (Doug Elliott, City Manager)

Mr. Kyger advised Mr. Elliott testified against the effort to repeal the Estate Tax before the Ways and Means Committee. Mr. Kyger noted at the last meeting Mr. Elliott asked Council to consider the Resolution as he felt Council's support would give him more authority as he spoke in Columbus.

Mr. Rutherford advised when municipalities were in a budget crisis and already reducing spending and decisions were being made to reduce revenue that was a business that could not sustain itself. Mr. Rutherford noted it was important for everyone to give the bill serious consideration and let the state representatives know that if the bill passed it would benefit a few and hurt many.

Mr. Blackburn advised that Mr. Derickson had removed his name as a co-sponsor of the bill and it had been put on hold for two years.

Mayor Keebler advised amendments to the bill were being offered that would delay its implementation. Mayor Keebler noted he questioned the appropriateness of the Estate Tax. Mayor Keebler advised he felt if taxes were being reduced we should look at taxes that favored businesses and created jobs. Mayor Keebler noted in these difficult times he was ready to vote in favor of the Resolution.

Mr. McKeehan concurred with the comments made so far noting he was not a big fan of Estate Tax. Mr. McKeehan advised to suddenly withdraw it from municipalities was not fair.

Mr. Harman noted on average Oxford received $340,000 per year from Estate Tax and not having that revenue would provide a hardship for the City.

Mr. Blackburn moved to adopt Resolution No. 4589. Mr. Rutherford seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
FINAL SUBDIVISION

An Ordinance No. 3140 Approving The Final Subdivision Application For Campus Commons Subdivision, Phases Two And Three With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the Ordinance.

Mr. McKeehan moved to adopt Ordinance No. 3140. Mr. Blackburn seconded. The Ordinance was Adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
AMEND THE
PROPERTY MAINTENANCE CODE

An Ordinance No. 3141 Adopting The 2003 Edition Of The International Property Maintenance Code As Amended And Repealing Ordinance No. 2904. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the Ordinance. Mr. Chen noted staff had begun to look at the definition and distinction between noxious weeds and natural areas.

Mr. Rutherford referred to the fees on page 65 of the agenda and noted he felt the City wasn't doing much to discourage late payments for rental permits. Mayor Keebler advised Council would review that when the new Fee Ordinance was adopted. Mayor Keebler suggested removing the fees from exhibit "A" and referencing the Fee Ordinance. Mr. Rutherford inquired if the late fee was per unit and Mr. Chen advised yes.

Mr. Blackburn referred to exhibit "A" on page 65 of the agenda and moved to amend 103.5 Fee Schedule to read 'The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in the current annual fee schedule as adopted by Council.' Mr. Harman seconded. The motion passed 6-0-0.

Mr. McKeehan moved to adopt Ordinance No. 3141 as amended. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTION 935.20

An Ordinance No. 3142 Amending Section 935.20, *Notice To Cut, Destroy, or Remove*, Providing Single notice by publication And Placing Placard On The Property. (Jung-Han Chen, Community Development Director)

Mr. Dreisbach advised the proposed Ordinance reflected the changes in the previous Ordinance.

Mr. Rutherford noted the Ordinance stated if the City cut grass or weeds the City would place a lien on the property and inquired if the cost could be assessed instead. Mr. Dreisbach advised assessments were typically paid over a period of years and these costs would be minimal. Mr. Rutherford inquired if this process could be used as a model for clearing ice and snow from sidewalks. Mr. Dreisbach advised a snow and ice removal program would be a major undertaking.

Mr. Bogard moved to adopt Ordinance No. 3142. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3143 Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)

Mr. Newlin advised the last part of the legislation dealt with the refunding of bonds and the money was transferred to the escrow agent today. Mr. Newlin noted the City received its portion to pay those who helped process the bond.

Mr. McKeehan moved to adopt Ordinance No. 3143. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCMENTS & COMMUNICATIONS

REQUEST TO WAIVE FEES

Ms. Sharon Klein, Director of Community and Employee Wellness for the Coalition for a Healthy Community-Oxford, Ohio-Area Leadership Team, advised McCullough-Hyde Hospital had held a Health and Safety Fair for the last three years and this year they wanted to expand the event under the sponsorship of the Coalition for a Healthy Community.

Ms. Klein noted the group had been working with the Talawanda Schools, McCullough-Hyde, United Way, the Coalition and others to expand the event to meet the needs of the youth and families in the area. Ms. Klein asked for support from the City by donating the Parks and the High Street Banner fees to help offset the costs.

Mayor Keebler advised he discussed the issue with the City Manager who had concerns about this wavier because of the number of requests the City received for use of the Parks. Mayor Keebler noted the only wavier Council had granted was for the Thursday Night Music Festival. Mayor Keebler noted waiving the fee would be a loss of income to the City or a cost for staff to the City. Mayor Keebler advised there were many community organizations that used the Parks and inquired if Council approved this request where would it stop?

Mr. Harman inquired if any vendors were participating in the event. Ms. Klein advised the Police Department, Fire Department, Hueston Woods and service organizations were participating.

Mr. Bogard stated to be consistent he would agree with the City Manager. Mr. Bogard noted he felt the fee schedule needed to be followed.

Mayor Keebler suggested that Ms. Klein work with the Community Foundation to obtain a grant to assist with this event in the future.

Mr. Harman noted community members had assisted with the State to State event. Mr. Harman noted his hope there would be enough publicity to garner a benefactor who would be happy to pay the fees for this event.

ANNOUNCEMENTS

Mr. Kyger advised the public meeting regarding the re-routing of US-27 would be rescheduled for March and as soon as the date was confirmed it would be posted on the City's website and placed in the newspaper.

Mr. Kyger noted Mr. Elliott sent Council a memo regarding changes in funding for some of the Northwest Butler County transportation projects. Mr. Kyger advised Mr. Elliott planned to meet with representatives from Butler County and Milford Township to discuss the issues.

Mr. Kyger advised he met with Front Street Analytics and that the marketing demographic process was underway.

Mr. McKeehan encouraged everyone to enjoy the fair weather while it lasted.

Mr. Bogard thanked Mr. Dreisbach and the Service Department for their clean-up efforts after the recent ice storm.

Mr. Bogard asked Mr. McHugh to provide Council with information regarding Internet Cafés and the issues other cities were facing regarding them. Mr. Bogard noted Council would like to see legislation other municipalities may be considering regarding internet cafés.

Mayor Keebler noted Internet Cafés were internet gaming operations.

Mr. Harman advised Council received the quarterly Event Economic Impact Report and noted there was a $300,000 increase from the past year. Mr. Harman advised a business owner asked him what Miami University was doing to bring in more business. Mr. Harman noted the report indicated that the Miami University Family Weekend brought in over $500,000 and two football games brought in over $600,000 of economic value to the community.

Mr. Blackburn noted Miami University was shortening the downtime for maintenance at Goggin next year and adding other programs which would allow more people to visit Oxford over the summer months. Mr. Blackburn noted Miami University was trying as hard as the Visitors and Convention Bureau to bring visitors to Oxford.

Mr. Blackburn thanked Mr. Dreisbach for the street clean-up efforts noting his crew did a great job.

Mayor Keebler reminded Council of the follow-up session with the Wilks Scholars group on Conservation Development which would take place on Monday, February 28, 2011 at 6:00 p.m. at the Shriver Center. Mayor Keebler noted Council should RSVP to Mr. Rubenstein or Prue Dana.

Mr. Rutherford referred to the Work Session with the Planning Commission last week and noted he was extremely proud of the work done by the Planning Commission and staff on subdivision regulations. Mr. Rutherford noted he was very pleased and proud of the Environmental Commission and how the Planning Commission received their work and implemented it. Mr. Rutherford advised he appreciated the hard work being done by those bodies.

Mayor Keebler advised the Joint Work Session was very good and everyone would be pleased when the subdivision regulations were finished.

Mayor Keebler wished Mr. Elliott a speedy recovery.

ADJOURNMENT

Mr. Bogard moved to adjourn at 8:15 p.m. Mr. Rutherford seconded. The motion passed 6-0-0.