The Work Session of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 16, 2010 at 6:30 P.M. Those Council members present were: Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

Staff members present: Doug Elliott, City Manager; Steve McHugh, Law Director; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Jung-Han Chen, Community Development Director and Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

Ms. Currie moved approval of the Agenda. Mr. Blackburn seconded. The motion carried 7-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information regarding the designation of public depositories and to discuss matters with regard to the Western Knolls property.

PUBLIC DEPOSITORIES

Mr. Newlin advised the five-year agreement for banking depository services with the current bank would expire on April 2, 2010 and four local proposals were received for those services for the next five years. Mr. Newlin discussed each bank's proposal in detail with Council noting the City was looking for a combination of the best service package at the lowest service cost. Mr. Newlin recommended that the contract be awarded to First Financial Bank. Mr. Newlin answered various questions from members of Council.

MARKETING - WESTERN KNOLLS PROPERTY

Mr. Elliott discussed the benefits of the City paying off the loan for the Western Knolls property early as well as the steps necessary to fund the initiative.

Mr. Kyger provided a summary regarding the property. Mr. Kyger discussed the use of a Flat Fee Multiple Listing Service to market the property and the option of creating a Request for Proposal to market the property.

Council and staff briefly discussed potential criteria for the RFP including a master plan or a conceptual plan for the property.

Mr. Elliott noted a follow-up Work Session would be scheduled regarding the matter.

AJOURNMENT

Mr. Blackburn moved to adjourn at 7:16 p.m. Ms. Currie seconded. The motion carried 7-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 16, 2010 at 7:15 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

Staff members present: Mr. Doug Elliott, 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. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

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

AYE: Mr. Bogard, Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Rutherford, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive session at 7:29 p.m. Mr. Harman seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Currie moved to amend the agenda by moving item 3.A. Public Hearing – Renewal Application for placement of farmland in an Agricultural District to be considered with Resolution 5.A. Mr. Rutherford seconded. The motion passed 6-0-1 with Mr. McKeehan abstaining.

PUBLIC PARTICIPATION

PROCLAMATION
AFRICAN AMERICAN
READ-IN

Vice Mayor Bogard read the Proclamation and advised Vice Mayor Bogard would present the Proclamation next week in his absence.

PRESENTATION
BCRTA

Lieutenant Holzworth advised he was the Chairperson of Oxford's Transportation Subcommittee and they first contacted Ms. Carla Lakatos in 2008 to discuss transportation needs in Oxford. Lt. Holzworth advised public transportation was now available in Oxford. Lt. Holzworth introduced Ms. Carla Lakatos, Executive Director of the Butler County Regional Transit Authority and noted she was a friend of Oxford and an advocate for those who needed transportation options.

Ms. Carla Lakatos, provided handouts to Council and advised BCRTA was an independent political subdivision of the State of Ohio governed by a nine-member Board of Trustees. Ms. Lakatos noted BCRTA was created in 1994 as a coordinated effort to look at the resources available in this county and how to leverage those to meet the needs of human resource agencies as well as the general public as well as being environmentally sensitive. Ms. Lakatos advised BCRTA was the designated recipient for federal and state transportation funds within the Cincinnati Urbanized Area of Butler County. Ms. Lakatos noted BCRTA served as a broker of transportation services for various county boards and agencies that wished to contract with them to manage their transportation needs. Ms. Lakatos updated Council with regard to BCRTA's progress over the years and services they provided to Oxford and the surrounding area as well as plans for the future. Ms. Lakatos answered various questions from Council with regard to the shuttle services and park and ride services.

Mr. Bogard noted Ms. Lakatos was a premier transportation expert in the state of Ohio whose services were greatly sought after.

Mayor Keebler thanked Ms. Lakatos for providing the information to Council and to the public.

REQUEST FOR USE OF PARK
2010 PORSCHE CAR SHOW

Ms. Diana Durr, Executive Director, Oxford Visitors and Convention Bureau, advised the VCB met with City staff prior to bringing the proposal (page 6 of the agenda) to Council and she was in attendance to answer any questions. Ms. Durr noted the Porsche event went national this year and she expected 600-800 vehicle owners to participate. Ms. Durr advised the Lions Club would work with local vendors to facilitate the 'Beer and Brats' event on Friday, July 30, 2010.

Mayor Keebler advised Council discussion on the matter would take place during the Announcements portion of the agenda but Council could ask questions of Ms. Durr at this time.

Ms. Durr answered various questions from Council and noted the economic benefit to Oxford resulting from the car show was approximately $350,000.00.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Rutherford nominated Mr. Stephen Dana to serve on the Income Tax Board of Review and Ms. Mary Glasmeier to serve on the Recreation Board. Mr. Blackburn seconded. The nominations passed 7-0-0.

PUBLIC COMMENTS

Mr. Steve Dana, 6314 Fairfield Road, advised he was addressing Council as a Board Member of the Family Resource Center. Mr. Dana noted the Family Resource Center was very encouraged and very supportive of everything the BCRTA was doing and it was a major step forward to have public transportation available in Oxford. Mr. Dana noted the service was available on Tuesdays and Thursdays from 10:00 a.m. until 2:00 p.m. and so far there had not been a lot of demand for the service. Mr. Dana suggested it would be very helpful to further pursue an analysis of the needs of Oxford residents to determine what the optimal needs were within the City. Mr. Dana noted to have this service begin was extremely encouraging particularly for some of the needs that are presented to the Family Resource Center.

Ms. Prue Dana, 6314 Fairfield Road, commended Council and staff for the snow removal efforts. Ms. Dana noted her feeling that access to public transportation was a major step for Oxford. Ms. Dana reiterated the need for additional needs assessment surveys to determine the needs of the different populations in Oxford such as students, those without transportation and senior citizens. Ms. Dana thanked Council for their support for the initiative.

Matt Ciccone, Secretary, Off Campus Affairs, advised he was planning a 'Walk-About' the last weekend in February specifically to educate students living off campus with regard to the 2010 Census. Mr. Ciccone noted the SCRC would hear three Noise Abatement requests at their meeting on Friday which would come to Council on March 3, 2010. Mr. Ciccone apologized for an article on page 9 of last week's Miami Student noting the viewpoint of one author of the Miami Student did not reflect the way the student body felt about the community.

Mr. Mike Smith, Chair, Historic and Architectural Preservation Commission, reminded everyone that nominations for the 2nd Historic Marker Program were due on March 1, 2010.

Ms. Laura Henderson, Historic and Architectural Preservation Commission, recapped the program and the awards presented last year. Ms. Henderson advised the awards ceremony for 2010 would take place May 13, 2010 at the Oxford Community Arts Center. Ms. Henderson noted all the information was available on the City's website.

CONSENT AGENDA

MI NUTES

Minutes of the February 2, 2010 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 27, 2010 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the January 27, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the February 3, 2010 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION
DONATION OF PROPERTY

A Resolution No. 4511 declaring certain City property no longer needed for any municipal purpose and authorizing its donation to the 911 Cell Phone Bank. (Steve Schwein, Police Chief)

RESOLUTION
AGREEMENT WITH
HAMILTON COUNTY EMA

A Resolution No. 4512 authorizing the City Manager to enter into an agreement with the Hamilton County Emergency Management Agency on behalf of the Oxford Division of Police for the purpose of obtaining Homeland Security Equipment through a grant. (Steve Schwein, Police Chief)

Mr. Bogard moved to approve the Consent Agenda. Ms. Currie seconded. The motion passed 7-0-0.

RESOLUTIONS

**RESOLUTION
AGRICULTURAL
TAX DISTRICT**

A Resolution No. 4513 by Oxford City Council authorizing the continued placement of 67.3760 acres of land owned by EVR Investments L.L.C. in an agricultural tax district. Said property address being 4160 Oxford Reily Rd., Oxford, Ohio 45056 (Parcel No. H4100-132-000-001) in accordance with O.R.C. Chapter 929, The Farmland Preservation Act. (Steve McHugh, Law Director)

Mr. McKeehan recused himself from the discussion.

**PUBLIC HEARING
AGRICULTURAL TAX DISTRICT**

Mayor Keebler moved to open the meeting for a Public Hearing in accordance with Ohio Revised Code Chapter 929, regarding the renewal of property at 4160 Oxford Reily Road, Oxford, Ohio 45056 as an agricultural tax district at 8:09 p.m. Ms. Currie seconded the motion passed 6-0-0.

Mr. McHugh addressed the staff report as presented on pages 40 and 41 of the agenda noting there was no legal basis for Council not to approve the request.

Mayor Keebler moved to close the Public Hearing at 8:12 p.m. Mr. Bogard seconded. The motion passed 6-0-0.

Mr. Rutherford noted the need to create an agricultural district within the City limits.

Mr. Harman moved to adopt Resolution No. 4513. Mr. Rutherford seconded. The motion passed 6-0-0.

Mr. McKeehan returned to the dais.

**RESOLUTION
PUBLIC DEPOSITORIES**

A Resolution No. 4514 designating public depositories and awarding the deposit of active public funds for a five-year period commencing April 5, 2010. (Joe Newlin, Finance Director)

Mr. Newlin noted the commencement date of the proposed Resolution should be April 3, 2101.

Mr. Newlin advised after extensive review he and his staff felt First Financial Bank was the best choice for a public depository based on their pricing structure and customer service offerings.

Mr. Newlin noted references provided by the Talawanda School District and the Hamilton School District with regard to First Financial Bank were very favorable.

Mayor Keebler noted this matter was reviewed with Council at the Work Session prior to this meeting.

Ms. Currie moved to amend the date in the title of the proposed Resolution to read April 3, 2010. Mr. Rutherford seconded. The motion passed 7-0-0.

Mr. Bogard moved to adopt Resolution No. 4514. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3103 Approving A Conditional Use Permit To Allow A Place Of Worship In The General Business (GB) District at 5150 College Corner Pike, Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the proposed Ordinance and the applicant was in attendance to answer any additional questions Council may have.

Mr. Bogard moved to adopt Ordinance No. 3103. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3104 Approving A Conditional Use Permit To Allow A Fraternity House In The Single & Two Family Mile Square Residential (R2MS) District At 220 Tallawanda Road, Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would re-establish a fraternity house at this address. Mr. Chen noted Mr. Rutherford had concerns at the last meeting with regard to non-conformities which Mr. McHugh addressed in a legal opinion provided to Council this evening. Mr. Chen noted the use was a permitted use in the R2MS District and this request was a conforming use for this district.

Mr. Matt Ciccone, advised the Delta Tau Delta Fraternity did a great job of epitomizing the pillars the Interfraternity Council expected from their fraternity members. Mr. Ciccone noted for them to continue to recruit the kind of individuals they had in recent years it was important to reestablish their home.

Ms. April Robles, Director for the Cliff Alexander Office of Fraternities and Sororities Life and Leadership, advised her office felt the Delta Tau Delta Fraternity lived up to their fraternal values and were a dedicated force on campus. Ms. Robles noted the Delta Tau Delta Fraternity was outstanding and had strong support of their alumni advisors.

Mr. Robert Carmean, Applicant, thanked Mr. Ciccone and Ms. Robels for their comments. Mr. Carmean noted the Gamma Upsilon Housing Association was moving forward with plans to re-occupy the residence at 200 Tallwanda Road noting there were no plans to change the footprint of the structure. Mr. Carmean noted several recognitions the fraternity had recently received and advised they would like to continue that and house additional men.

Mr. Rutherford advised the quality of the young men who would occupy the residence was not a point of contention. Mr. Rutherford advised the lot coverage exceeded what was allowed and he felt the applicant needed to seek a variance to bring the structure into conformance.

Mr. Harman noted his support for the request and advised he felt this was the best use for the property.

Mayor Keebler advised his feeling that occupancy was a different question. Mayor Keebler advised the question was whether the conditional use of the lot for a fraternity house was appropriate.

Ms. Currie agreed with Mayor Keebler and noted her feeling Mr. Rutherford's concerns related to a process which Council needed to address as a body.

Mr. Bogard noted the house was built in 1969 under a different set of criteria.

Mr. Rutherford agreed that the structure was designed and built to be a fraternity structure. Mr. Rutherford noted this request for a conditional use permit would require Council to ignore Section 1147.02 (e)(1) of the code 'Expiration and reinstatement of a conditional use permit'. Mr. Rutherford noted a variance would change the regulations for the property and would bring it into conformance with the code.

Mr. McHugh noted it was a misnomer to say the applicant was reinstating or reestablishing a fraternity house. Mr. McHugh advised the structure had been rented to another fraternity and had been used as a meeting place by fraternities. Mr. McHugh advised mere vacancy was insufficient to lose entitlement to non-conforming use and discontinuance must be voluntary. Mr. McHugh advised it would be incumbent upon the City of Oxford to prove the use was abandoned.

Ms. Currie called the question.

<u>Mr. McKeehan moved to adopt Ordinance No. 3104. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:</u>

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

NAY: Mr. Rutherford (1)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3105 Approving A Conditional Use Permit To Allow A Place Of Worship In The Uptown (UP) District at 17 N. Poplar Street, Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the request was to establish a place of worship at the former Lazarus building and the applicant was present to answer any additional questions.

Mr. Rutherford noted he was informed there was an alternate lease on the property and Mr. Kyger advised two applicants had submitted paperwork for the same location.

Ms. Currie advised she did not see a problem granting the request and Mayor Keebler advised Mr. Rodbro had written a letter of agency which had not been removed.

<u>Ms. Currie moved to adopt Ordinance No. 3105. Mr. Harman seconded. The Ordinance was adopted by the following roll call:</u>

AYE: Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Harman, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS AND COMMUNICATIONS

Mayor Keebler asked for Council's comments regarding the Visitors and Convention Bureau's Request for Use of the Park to hold a 'Beer and Brats' event prior to the Porsche Car Show in July.

After discussion Mayor Keebler advised a Resolution should be prepared for the next meeting and Council could discuss the issue further. Mayor Keebler noted Council would like to hear from the Visitors and Convention Bureau, business owners and citizens regarding the matter.

Mr. Elliott commended staff for their snow removal efforts. Mr. Elliott encouraged residents to remove snow from their sidewalks.

Mr. Elliott advised Duke Energy would begin the installation of 'Smart Meters' this week to improve the reliability of the system. Mr. Elliott noted Oxford was one of the first communities in this area to receive the meters.

Mr. Elliott updated Council and the public with regard to several transportation projects.

Chief Schwein encouraged residents to move their cars off of snow routes during snow emergencies noting the learning curve had been very slow. Chief Schwein also encouraged residents to move cars from secondary streets so additional snow removal could take place.

Mr. Kyger updated Council and the public with regard to economic development initiatives. Mr. Kyger thanked Council for their input during the Work Session regarding the Western Knolls property.

Mayor Keebler updated Council and the public with regard to 'Think Pink' weekend which would take place February 19-21 noting there was a large list of merchants helping to raise funds for the Susan G. Komen Breast Cancer Foundation.

Mayor Keebler reiterated the need for citizens and merchants to remove snow and ice from sidewalks and also from around fire hydrants.

Mr. Bogard noted he had been out of town but passed along compliments he received with regard to the City's snow removal efforts.

Mr. Rutherford encouraged citizens to write to congress in support of the safety improvements to US-27 South.

Mr. Rutherford encouraged Council to review the extensive report from the Environmental Commission on pages 17-23 of the agenda noting they were seeking a joint Work Session with the Planning Commission.

Mr. Rutherford encouraged support of the many other foundations as well as the Susan G. Komen Breast Cancer Foundation.

Mr. McKeehan complimented staff for their snow removal efforts.

Ms. Currie encouraged the transportation subcommittee to discuss the suggestion of additional transportation needs analysis at their next meeting.

Ms. Currie noted the Bicentennial Event Planning Committee would meet on Thursday at 5:30 p.m. at the Visitors and Convention Bureau. Ms. Currie advised the Bicentennial Kinetic Sculpture Race would take place on April 24, 2010.

Mr. Harman advised the deadline for Historic Marker applications was March 1, 2010. Mr. Harman encouraged members of the public to apply for vacancies on Boards and Commissions which were listed on the City's website.

Mr. Blackburn advised the Boy Scouts Pinewood Derby would take place Saturday at the Talawanda High School.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:21 p.m. Mr. Harman seconded. The motion passed 7-0-0.