A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, February 3, 2015 at 7:30 p.m. Those members present were Bob Blackburn, Kate Rousmaniere, Mike Smith, and Steve Snyder. Richard Keebler and Edna Southard were excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Amy Blankenship, Assistant Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Snyder moved to approve the agenda. Mr. Smith seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the January 20, 2015 City Council Joint Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the January 20, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 13, 2015 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 15, 2015 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

Report regarding the January 21, 2015 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 28, 2015 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

**RESOLUTION
DISPOSE OF
CONTRABAND**

A Resolution No. 4889 authorizing the Police Chief and the Finance Director to dispose of contraband no longer needed as evidence. (Bob Holzworth, Police Chief)

**RESOLUTION
CONTRACT WITH
VERIZON**

A Resolution No. 4890 authorizing the City Manager to enter into a twelve (12) month agreement with Verizon Wireless to provide cellular service for up to 70 units for the City of Oxford in accordance with General Services Administration (GSA) Federal Supply Schedule Number GS-35F-0119P at an estimated cost of thirty nine thousand two hundred dollars ($39,200). (Bob Holzworth, Police Chief)

Mr. Smith moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

**RESOLUTION
ACCEPTING PLANNING
DOCUMENTS**

A Resolution of City Council accepting the Planning Commission's recommendation and accepting the report entitled "Shaping our Sustainable Community – An Area Plan for the South Side of Oxford" as a reference and guide document for the Oxford Comprehensive Plan. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this agenda item came forward from the Planning Commission in considering the South Side Area Plan. Mr. Chen noted the document was compiled in 2011 based on collaborative work spearheaded by the Wilks Scholars in conjunction with township and city residents. Mr. Chen advised the group focused on what the south side of Oxford should look like in the future. Mr. Chen noted the document was a reference document for future planning of the south side of Oxford. Mr. Chen advised the Planning Commission had a serious debate regarding the matter and voted 7-0-0 to recommend the document become a reference document for the Oxford Comprehensive Plan and to ask for Council's acceptance of the document.

Mr. Scott Webb, 103 W. Walnut Street, noted he was a local architect and advised he participated in the exercise with Randall Arendt which he enjoyed and felt it was a good exercise. Mr. Webb noted concern with the document being attached to the Comprehensive Plan as this was not a Comprehensive Plan process it was an academic process. Mr. Webb advised he had planned developments on the south side of Oxford and he felt having this document attached to the Comprehensive Plan and becoming part of the decision standards for planned developments and subdivision developments was going a little too far. Mr. Webb noted incorporating the document but not having it carry the weight of the Comprehensive Plan may be something Council should consider.

Ms. Rousmaniere inquired if a reference document would become part of the decision standards for planning. Mr. Chen advised no, it would set the stage for future planning functions as a reference document, not part of the Comprehensive Plan.

Mr. Snyder noted Oxford Township property was included in this study plan and inquired if the Oxford Township Trustees adopted the plan as an addendum to their Comprehensive Plan and Mr. Chen advised no. Mr. Snyder noted concern with interconnectivity as there was a history of interconnectivity issues between the city and the township. Mr. Snyder advised he would like to see some buy-in from the Oxford Township Trustees as to whether they would adopt the plan as a reference for their own Comprehensive Plan because of the mention of roadways though the township area. Mr. Snyder noted Mr. Kinne, Oxford Township Trustee, was in attendance and inquired if the Trustees had considered the proposed plan. Mr. Kinne advised it was not on their agenda. Mr. Snyder reiterated he would like to see some buy-in from Oxford Township and he would vote no on the proposed Resolution for that reason.

Mr. Blackburn noted he felt the proposed Resolution should be tabled until Council received some response from the township and then vote accordingly. Mr. Blackburn moved to table the proposed Resolution and Mr. Snyder seconded.

Mayor McKeehan noted the study was performed in 2011 and inquired why it took so long to come before Council. Mr. Chen advised the Planning Commission had been very busy and it had not been an item for their consideration. Mr. Chen noted the Planning Commission reviewed a lot of cases and recently decided this needed to be reviewed.

Mr. Elliott advised when this came to his attention after the Planning Commission reviewed it, he, Mr. McHugh and Mr. Chen spent a lot of time crafting the legislation. Mr. Elliott noted he was concerned with the plan being attached to the Comprehensive Plan and he wanted to make sure it was adopted only as a reference document. Mr. Elliott advised a lot of what was in the proposed plan was already in the Oxford Comprehensive Plan although the proposed plan went a little further in some areas. Mr. Elliott noted he signed-off on the Planning Commission's recommendation as a reference only document. Mr. Elliott agreed with Mr. Webb that the Area Plan for the South Side of Oxford did not go through the Comprehensive Plan process where there would be broad public input. Mr. Elliott noted to his knowledge a select group of people in the community were invited to participate in the exercise which was very good and he enjoyed it. Mr. Elliott reiterated this was a reference document and it was not binding.

Ms. Rousmaniere inquired how many reference documents were connected to the Comprehensive Plan. Mr. Elliott advised the report 'Shifting Gears' was connected to the Comprehensive Plan and noted the Comprehensive Plan would be updated in the next three years.

Mr. Snyder agreed with Mr. Webb that the Area Plan for the South Side of Oxford was an academic exercise and it was very well done but he was concerned with how it got used in the future. Mr. Snyder noted he would like to see both the City and Oxford Township involved in the use of the proposed plan.

Ms. Rousmaniere quoted from the Planning Commission minutes 'The Planning Commission voted 7-0-0 to accept the report entitled "Shaping Our Sustainable Community – An Area Plan for the South Side of Oxford" as a reference document for future planning purposes and to only recommend the plan's vision, goals and objectives as an amendment to the Oxford Comprehensive Plan'. Mr. Elliott advised that was correct but the language to amend the Comprehensive Plan was removed from the Resolution Council was considering.

Mr. Snyder advised he would like to withdraw his motion to table the Resolution and vote on it as it stood. Mr. Blackburn withdrew his motion to table the Resolution.

Ms. Rousmaniere referred to page 37 of the agenda and reiterated that the Planning Commission recommended adoption of the plan's vision, goals and objectives not the entire plan. Mayor McKeehan noted the Resolution did not reflect that. Ms. Rousmaniere noted the need to clarify that with the Planning Commission. Mr. Snyder advised Council should vote the Resolution down and clarify the situation with the Planning Commission. Ms. Rousmaniere inquired if it could be tabled instead.

<u>Ms. Rousmaniere moved to table the Resolution. Mr. Blackburn seconded. The motion passed 3-2-0 with Mr. Snyder and Mayor McKeehan voting nay.</u>

RESOLUTION
GRANT APPLICATION

A Resolution No. 4891 of Council authorizing the City Manager to submit an Ohio Department of Transportation grant application requesting funding through the Safe Routs to School Program in an amount not to exceed $150,000.00 with a 20% local match for the installation of signalization at the intersection of Sycamore Street and Brown Road and for the installation of sidewalk on the west side of N. Locust Street and on the west side of Brown Road and for other improvements as deemed necessary. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the Safe Routes to School funding application to the Ohio Department of Transportation would be for infrastructure improvements as stated by the Clerk. Mr. Chen noted the preliminary estimate for the improvements was $120,000 and Council during the CIP process allocated $30,000 for the local match. Mr. Chen advised he was waiting for the certified engineering estimate which would be part of the grant application which was due by March 3rd. Mr. Chen noted the improvements would be done in anticipation of the new Kramer School being built.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Mr. Blackburn inquired if the intersection would be realigned and Mr. Chen advised not at this time.

Ms. Rousmaniere advised the Safe Routes to School movement had been going on for about a year with community and school groups meeting and conducting transportation audits at the middle school and at Kramer Elementary School. Ms. Rousmaniere noted there was a lot of community effort and parent group support behind the Safe Routes to School program.

Mr. Snyder moved to adopt Resolution No. 4891. Mr. Smith seconded. The motion passed 5-0-0.

RESOLUTION
PUBLIC DEFENDER'S
AGREEMENT

A Resolution No. 4892 authorizing the City Manager to enter into a Service Agreement with the Butler County Public Defender Commission to provide legal counsel to indigent persons charged with violations of Municipal Ordinances for the year 2015, and thereafter under certain terms and conditions. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed Resolution would allow the City Manager to enter into an agreement with the Public Defender Commission to provide legal counsel to indigent persons appearing in Butler County Area One Court at a cost of $3,000 annually. Mr. Elliott noted a similar agreement with the Butler County Board of Commissioners was initiated in 1996 and was now outdated. Mr. Elliott advised the Public Defender Commission had contracts with the cities of Fairfield and Hamilton and the townships were not asked to contribute because they cited under state law not local law. Mr. Elliott noted he felt this was a fair agreement and recommended Council's approval.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

Mr. Snyder moved to adopt Resolution No. 4892. Mr. Smith seconded. The motion passed 5-0-0.

ORDINANCES
FIRST READING

ORDINANCE
PLANNED DEVELOPMENT

An Ordinance Approving The Preliminary And Final Plan For A Major Change To An Approved Planned Development At Bishop Square Located On South Locust Street With Conditions And Amending Ordinance No. 3221. (Jung-Han Chen, Community Development Director)

Mr. Chen advised Ordinance No. 3221 approving the Final Planned Development stipulated the developer was required to consolidate 12 parcels into a maximum of three lots. Mr. Chen noted as the project moved forward, the developer realized the lot restriction was a burden for financing purposes and requested to divide one of the commercial lots into 3 lots. Mr. Chen advised the Planning Commission had a lengthy discussion and felt the project was moving forward nicely and that the request was reasonable with three conditions as follows: the developer shall provide as-built drawings to the City Engineer, the deed shall be reviewed and approved by the Law Director and the Zoning Administrator to assure perpetuity, Ordinance No. 3221 shall be amended to reflect 5 lots and Oxford Legal Counsel shall review the easement to ensure that the lot split would not affect the access easement. Mr. Chen offered to answer any questions.

Mr. Snyder advised this was a financing issue and he could see where it would be a problem for one entity to lease the lot in question.

Ms. Rousmaniere noted a Planned Development was approved and now a change was being made to it. Ms. Rousmaniere advised she understood the rationale for it and inquired if it was ok to make changes to an approved Planned Development and Mr. Chen advised yes.

Mayor McKeehan noted 12 parcels were consolidated to 3 and Council was being asked to approve a total of 5 lots for the Planned Development due to financing issues.

Mr. Robert Fiorita, Applicant, advised he was in attendance to answer any questions. Mr. Fiorita noted the request had to do with bank financing. Mr. Fiorita displayed a slide of the development and advised a lender made a commitment to finance a building currently being built predicated on it being built on its own lot. Mr. Fiorita noted this was an oversight and he wished he had the foresight when the Planned Development was approved to bring this matter to everyone's attention. Mr. Fiorita advised the Planned Development in all other aspects would remain the same.

Mr. Blackburn noted the developer was faced with banks saying they did not have cash flow and needed to split the lots. Mr. Blackburn advised he felt the project was clean, looked great and was a credit the City.

Mr. Snyder noted the proposed Ordinance would correct an unintended consequence.

Mayor McKeehan inquired if there were any comments from the public and there were none.

ORDINANCE
ANNEXATION

An Ordinance Authorizing The Annexation Of 0.338 Acres Of Contiguous Territory And Directing The Law Director To Prosecute The Proceedings Necessary To Effect Said Annexation. (Doug Elliott, City Manager)

Mr. Elliott advised the property proposed to be annexed was located near the corner of Miami Western Circle and US 27, across from University Park Boulevard. Mr. Elliott noted the City purchased it as part of the US 27 S. improvement project. Mr. Elliott advised he was proposing to annex the property since the City now owned it through the annexation by petition of the municipality process which could only be done with land contiguous to the City. Mr. Elliott advised this was a small white ranch style home and the City would look to sell it once the US 27 S. project was complete. Mr. Elliott recommended Council adopt the Ordinance at the next meeting.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 142 of the agenda noting the supplemental budget reflected proceeds from seized funds in the amount of $23,876 and disbursement of 25% of that to the Butler County Prosecutor Attorney's Law Enforcement Trust Fund and the transfer of $11.77 to the General Fund to close out an obsolete fund.

Mayor McKeehan noted the $23,876 seizure was due to a law enforcement action.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

ORDINANCE
SECOND READING

ORDINANCE
UTILITIES OUTSIDE
CITY LIMITS

An Ordinance No. 3303 Granting The Request Of Christopher Owens, Agent For Milton And Phyllis Cox, To Connect To An Existing City Water Line And Sanitary Line For A New Single-Family Residence To Be Located At 5280 Hillcrest Drive Outside The Oxford Corporate Limits. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information to report since the first reading of the proposed Ordinance.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

Mr. Snyder moved to adopt Ordinance No. 3303. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Mr. Blackburn, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised he, Mr. Dreisbach and Mr. Kyger attended a meeting at Miami University last week to discuss a possible Amtrak stop in Oxford and to discuss a TIGER Grant. Mr. Elliott noted Amtrak's Cardinal Line passed through Oxford three times a week but did not stop.

Mr. Elliott advised several years ago the City submitted a request to Amtrak to complete a feasibility study regarding a stop in Oxford and received an unfavorable response. Mr. Elliott noted the request was made during the great recession and now things had improved and ridership for Amtrak had increased. Mr. Elliott advised City and Miami University officials felt it was a good time to again request a feasibility study for a stop in Oxford and a letter would be submitted to Amtrak.

Mr. Elliott advised the possibility of a TIGER Grant application was also discussed and noted an application was made last year by the Butler County Regional Transit Authority for a multi-modal project at the Shriver Center and at the former Talawanda High School which was now owned by Miami University. Mr. Elliott advised the grant application was unsuccessful and there appeared to be a second round of TIGER Grant funding which Oxford might stand a better chance of receiving if the project included a possible Amtrak stop. Mr. Elliott noted City and Miami University officials would again request Amtrak to consider a feasibility study and hopefully submit a TIGER Grant application to the US Department of Transportation.

Mr. Elliott advised the City's application for certification as an electric aggregator was approved by the PUCO and the RFP's sent by Eagle Energy were due tomorrow. Mr. Elliott noted the RFP's would be reviewed early next week and staff would make a recommendation for an electric supplier to Council at the next meeting. Mr. Elliott advised the RFP included a 50% renewable proposal, a 100% renewable proposal and a lowest cost proposal.

Ms. Rousmaniere inquired what 'TIGER' stood for regarding the grant. Ms. Blankenship advised it stood for Transportation Investments Generating Economic Recovery.

Chief Holzworth advised as everyone knew, there was a homicide/suicide in Oxford over the weekend and this was something that might happen every 25-30 years, it was a rarity here in Oxford thankfully. Chief Holzworth noted the safety services (EMS, Fire and Police) responded admirably to this situation from the moment the call came in until now as they wrapped up the details of the case. Chief Holzworth noted this was a terribly sad time for the families and noted our hearts go out to them. Chief Holzworth encouraged everyone to keep the families in their thoughts and prayers if they were so inclined. Chief Holzworth noted this too shall pass and it was a hard thing for the Oxford community but it was going along very well.

Ms. Rousmaniere advised she attended a 'Little Free Library' celebration last week at the Butler County Educational Services building in Hamilton. Ms. Rousmaniere noted this was a national movement which started in 2009, the sub-heading being 'Take a Book – Return a Book'. Ms. Rousmaniere advised the program was designed to promote the love of reading and the building of community by building book kiosks where people could leave books and pick-up books. Ms. Rousmaniere noted the Family and Children First Council in Butler County was an advocate of the program. Ms. Rousmaniere advised there were 12 Little Free Libraries in Butler County and 9 of them were located in the Talawanda School District and 4 of those were in the City of Oxford. Ms. Rousmaniere listed the locations as follows: the Family Resource Center, Oxford Community Arts Center, Tri Building, Reily Community Center, Mcgonigle Mobile Home Park, Hanover Township Park and the McCullough-Hyde Pediatric Center. Ms. Rousmaniere noted all Little Free Libraries in our district were supported and built by Talawanda students, local churches, civic organizations, Girl Scouts, Boy Scouts and the Rotary Club and a lot of the lumber was donated.

Ms. Rousmaniere advised a raffle was held at the end of the event and Diane Ruther-Verling from the Family Resource Center won a Little Free Library made by a wood shop in Hamilton. Ms. Rousmaniere noted Ms. Ruther-Verling wanted to donate the Little Free Library to the City of Oxford and Council should discuss where to place it.

Mayor McKeehan expressed his condolences to the Eldermire and Tipton families and personally thanked the City's Police Fire and EMS workers who responded and had to work through this tragedy. Mayor McKeehan advised he knew this was a difficult and tough process and he wanted to personally thank the responders. Mayor McKeehan noted all Council members and Oxford citizens thanked them as well.

ADJOURN

Ms. Rousmaniere moved to adjourn at 8:23 p.m. Mr. Snyder seconded. The motion passed 5-0-0.