

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, February 4, 2014 at 7:15 p.m. Those members present were Bob Blackburn, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard. Richard Keebler was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Joe Newlin, Finance 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.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing pending court action and (2) property acquisition. Mr. Snyder seconded. The motion passed by the following roll call:

AYE: Ms. Rousmaniere, Mr. Smith, Ms. Southard, Mr. Snyder, Mr. Blackburn,
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Snyder moved to adjourn from Executive Session at 7:43 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Snyder moved to amend the agenda to add item 5.2. Resolution regarding an appointment to the SELF Board. Mr. Blackburn seconded. The motion passed 6-0-0.

Ms. Southard moved to approve the agenda as amended. Mr. Snyder seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

NOTICE TO LEGISLATIVE AUTHORITY

Notice to Legislative Authority – Stock transfer for MJ Restaurants LLC DBA Larosas 21 Lynn Avenue Oxford, Ohio 45056.

Mr. Kyger explained the reason for the stock transfer with regard to the liquor permit and noted there would be no change in the ownership of the restaurant.

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

PUBLIC COMMENTS

Mr. David Ordway, 3739 Pamajera Dr., advised he was sure Council was aware of an Ordinance that had been on the books for quite a long time stating that property owners were responsible for taking care of the sidewalks in front of their properties. Mr. Ordway noted the demographics within the City had changed significantly with most residents being renters and the sidewalks were largely untaken care of. Mr. Ordway suggested that Council considered creating an area designated as a pedestrian zone in which the City would clear the sidewalks of snow and ice. Mr. Ordway noted a lot of cities took care of snow on sidewalks and he thought Oxford would do itself a favor by encouraging people to walk even in winter months by having sidewalks that were clear. Mr. Ordway advised very little of the sidewalk from the middle school into the City was clear and areas around the Uptown Parks were often not clear. Mr. Ordway noted he felt City employees were confused about what should be done and part of the problem was the Ordinance that stated citizens were responsible for their sidewalks not the City and he thought that should be changed. Mr. Ordway advised the City collected income tax and property tax from citizens and he did not think it was worthwhile to enforce the Ordinance to collect more fees from citizens. Mr. Ordway noted he felt this was something the City could do for people and it would benefit the City as well.

Ms. Rousmaniere advised she attended a City meeting this afternoon where the issue of sidewalks was discussed. Ms. Rousmaniere noted she was not sure the attendees arrived at the solution Mr. Ordway suggested but she seconded the need for further discussion regarding the matter.

Mr. Gary Dean Wilkins, Oxford, advised he was concerned about a property at 521 N. Beech Street owned by his brother, sister and himself. Mr. Wilkins noted there seemed to be encroachment coming from the side of a newly purchased student housing project. Mr. Wilkins advised the encroachment was a seven foot fence constructed in mid August.

Mr. McHugh advised when property owners believed there was an encroachment issue one property owner should obtain a survey of the land and hopefully resolve the issue at that point. Mr. McHugh noted if not, the matter could go before the Common Pleas Court. Mr. McHugh advised this was a civil action between the property owners and Mr. Wilkins may want to retain legal counsel to write a letter to the property owner.

Mr. Wilkins noted the fence was installed without a permit from the City and he approached the City Planner, Sam Perry who wrote a letter to the property owner. Mr. Wilkins advised the property owner apologized for the encroachment but had not removed the fence.

After a lengthy conversation Mr. Elliott advised if there was a permit issue the City would handle it accordingly. Mr. Elliott reiterated that a survey was needed. Mr. Elliott offered to discuss the issue further with Mr. Wilkins at a later date.

CONSENT AGENDA

MINUTES

Minutes of the January 21, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 16, 2014 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

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

RESOLUTIONS

RESOLUTION

RELEASE MORTGAGE

A Resolution No. 4812 releasing the mortgage between Michael M. Patterson and Michelle Krause Patterson and the City of Oxford recorded on September 2, 2009 at book 8150 page 1846 of the Butler County Records. (Alan Kyger, Economic Development Director)

Mr. Kyger advised this issue was brought before Council in one form in December. Mr. Kyger noted the Pattersons were working with a bank to refinance and consolidate their loans for opening and expanding Patterson's Café. Mr. Kyger advised at that time the bank asked the City to release its mortgage on the Patterson's home until the loan could be restructured and then the City could reapply the mortgage. Mr. Kyger noted the loan underwriters said no to the City reapplying the mortgage. Mr. Kyger advised he took the matter to the CIC Board in January and they felt it was appropriate to release the mortgage on the Patterson's home since they had paid over 4 years of the 10 year loan and this would allow them to refinance and save a considerable amount of money on their monthly payments. Mr. Kyger noted the savings on the monthly payment would allow the Pattersons to be in a better position to re-pay the City as well as their other creditors. Mr. Kyger advised the Revolving Loan Fund rules did not require a mortgage to be placed on property but asked for personal guarantees which the City had as well as collateral on the restaurant equipment. Mr. Kyger offered to answer any questions and noted Michelle Patterson was in attendance.

Ms. Michelle Patterson, 6163 Contreras Road, advised she had been working with Mr. Kyger on the refinancing issue and she was not happy with the loan underwriters. Ms. Patterson reiterated that the Revolving Loan Fund loan with the City was nearly half way paid and the refinancing would free up cash flow for the businesses.

Mayor McKeehan noted that bankers never liked to release liens if they didn't have to; however on a 2nd or 3rd mortgage the recovery was usually zero and sometimes less if legal expenses were incurred. Mayor McKeehan noted the City's position wouldn't be greatly changed.

Mr. Snyder moved to adopt Resolution No. 4812. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
APPOINTMENT TO THE
SELF BOARD

A Resolution No. 4813 appointing Kate Rousmaniere as Council representative to the Supports to Encourage Low-Income Families Board (SELF). (Kevin McKeehan, Mayor)

Mayor McKeehan advised SELF was a community action agency utilizing state and federal funds and they required representation on their board from all incorporated areas in Butler County. Mayor McKeehan noted he had been the representative for just over 4 years and asked a fellow Council member to take his place. Mayor McKeehan advised Ms. Rousmaniere volunteered to take his place to represent Oxford's interests on the board.

Ms. Southard thanked Ms. Rousmaniere for volunteering to serve on the board.

Mr. Snyder moved to adopt Resolution No. 4813. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCE
FIRST READING

None.

ORDINANCE
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3265 Amending Ordinance No. 3249. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2014. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing new to report since the first reading of the proposed Ordinance and noted he was still working on obtaining better pricing for the data conversion.

Mayor McKeehan inquired if the pricing issue was looking positive and Mr. Newlin advised yes.

Mr. Snyder moved to adopt Ordinance No. 3265. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Ms. Rousmaniere,
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the City was notified that the Resolution to approve the US27 North annexation was on the Butler County Commissioner's agenda on January 23, 2014 and Mr. Kyger was in attendance on behalf of the City to answer any questions. Mr. Elliott advised the Commissioners approved the annexation petition for 33.55 acres of land to be annexed into the City of Oxford. Mr. Elliott noted once the statutory time period elapsed (60 days) an Ordinance would be presented to Council to accept the annexation.

Mayor McKeehan asked Mr. Dreisbach to provide a 'snow report'.

Mr. Dreisbach advised he was thankful for City staff noting they did a fantastic job, they were tired, and the equipment was tired. Mr. Dreisbach advised he didn't know of a harder working crew that he could be associated with. Mr. Dreisbach noted compared to last year the City has had almost double the snow events to date and tonight was snow event number 19. Mr. Dreisbach advised the amount of snow to be managed has almost tripled compared to last year. Mr. Dreisbach noted the City housed salt for the township and for the last two years the City has supplied the Talawanda School District with salt. Mr. Dreisbach advised the City has used 80% of the salt that the salt barn will hold and more salt has been ordered although the suppliers can't keep up with the orders. Mr. Dreisbach noted staff was focused on salting high accident intersections, slopes and snow routes and would continue to plow everything and salt what was necessary at the end of this snow event. Mr. Dreisbach advised all divisions of the Service Department stepped up and helped out with the snow events.

Mayor McKeehan thanked Mr. Dreisbach and City staff for their tremendous efforts noting it was very much appreciated.

Mr. Blackburn thanked Mr. Chen for sending a letter to property management companies regarding the new smoke detector requirements.

Mr. Blackburn thanked Mr. Dreisbach and City staff for keeping the streets clear and reminded everyone to look after their neighbors and pets.

Ms. Southard advised at the last meeting everyone was encouraged to sign up for Nixle to receive emergency updates. Ms. Southard noted she signed up for the service and found it to be very useful.

Ms. Southard advised even though it was snow season it was a wonderful season in Oxford for the arts. Ms. Southard encouraged everyone to look at Miami University's Music Department website, the Performing Arts website, and to attend events at the Oxford Community Arts Center, the Fitton Center and the Miami Art Museum. Ms. Southard noted the Center for American and World Cultures at Miami would have special events as well.

ADJOURN

Mr. Blackburn moved to adjourn at 8:16 p.m. Mr. Snyder seconded. The motion passed 6-0-0.