A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 21, 2012 at 7:15 p.m. Those members present were Ken Bogard, Bob Blackburn John Harman, Kevin McKeehan and Kate Rousmaniere. Steve Snyder arrived at 7:16 p.m.

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

ADJOURN TO EXECUTIVE SESSION

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

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:36 p.m. Mr. Harman seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

Mayor Keebler welcomed Councilor Blackburn back to Council after recovering from injuries he sustained in an accident in December. Councilor Blackburn advised he would continue his recovery at the Knolls of Oxford for another two weeks.

Mayor Keebler welcomed Mr. Pete Conrad noting he was the new Editor of the Oxford Press.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PRESENTATION
BUTLER COUNTY EMA

Ms. Katharine Piaskowy, Emergency Planner, Butler County Emergency Management Agency, thanked Council for the opportunity to present the All Natural Hazard Mitigation Plan this evening. Ms. Piaskowy advised public meetings regarding the All Natural Hazard Mitigation Plan were held last year and questionnaires regarding natural hazards in and around the cities were also circulated. Ms. Piaskowy noted the All Natural Hazard Mitigation Plan was a culmination of those efforts. Ms. Piaskowy advised the plan addressed natural disasters that could affect local communities and it was issued to establish activities that should reduce or eliminate long term risk to human life and property. Ms. Piaskowy noted in the plan, natural hazards were defined as severe storms (summer and winter), flooding, tornados, droughts and earthquakes. Ms. Piaskowy noted the Butler County Commissioners adopted the plan in August of 2011 which included all of the unincorporated areas of the county and advised the incorporated areas of the county were required to adopt the plan in order to be compliant with the Disaster Mitigation Act of 2000. Ms. Piaskowy discussed the goals of the plan and outlined the various types of grants the City would be eligible to apply for once the plan was adopted.

Mayor Keebler advised the Clerk provided Councilors with the entire plan to review last week. Mayor Keebler noted the plan was very detailed and it was required by the state and federal governments to enable the City to apply for grants should mitigation become necessary.

Mr. Bogard inquired if Miami University property was included in the plan and Ms. Piaskowy advised yes, as long as the property was within the City.

PUBLIC COMMENTS

Ms. Kathleen Zien, 6060 Joseph Drive, referred to item 4.D. on the agenda, a Resolution appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act. Ms. Zien inquired if this meant Ms. Eaton would attend the state mandated training and verbally relay the information to Council or provide them with handouts from the training session and that would be considered adequate for minimal requirements. Ms. Zien noted one of the nearest locations for the Sunshine Law training was Fairborn, Ohio, which was a reasonable distance away and suggested Councilors attend in person to hear from the speakers directly verses getting the information second hand. Ms. Zien advised it seemed attendance by Councilors would provide them with greater understanding and opportunity for clarification of procedure from the experts and Councilors were only required to attend once per term for three hours. Ms. Zien noted her hope that most, if not all council members would attend the training.

Mayor Keebler advised Mr. McHugh provided Sunshine Law training during the New Council Orientation and provided Council with updates as necessary with regard to public records and open meetings. Ms. Eaton noted it was a common practice for Councils to appoint a designee and 50 clerks responded to her inquiry indicating they had been appointed to attend the training.

Mr. Clay Depew, 3955 Oxford Millville Road, thanked Ms. Piaskowy for her presentation noting in 1997 he had to build his own flood control system to protect his property after being flooded extensively.

Mr. Depew relayed his concerns to Council regarding the state trimming hedges in front of his property on US-27 today noting they needed a 20 foot right-of-way. Mr. Depew noted he told the workers that there was already a 16 foot right-of-way and the reason the hedges were allowed to grow out that far was because the state allowed the local power distribution company to destroy the ditch-line and there was no longer 20 feet to mow. Mr. Depew noted the individual who procured land next to his had been bringing things the City didn't want him to have in the City and dumping it there in front of the new High School. Mr. Depew referred to the sign for the new High School and noted people were constantly stealing construction materials from the site. Mr. Depew noted if he placed a sign there that said 'free stuff this way' the police would be there instantly to arrest him. Mr. Depew advised every time he heard someone say 'we need more taxes, we need more schools' he loved to remind them that the individual who lived there lost his home to the people who now had it now and used it as a garbage dump because he couldn't afford his property taxes. Mr. Depew noted is was a shame that the individual was a veteran of the United states who lived there and cared for his invalid mother lost his home because of taxes. Mr. Depew stated that people procured things from the new school at the taxpayers' expense because we can't afford employees to take care of the school, similar to Miami. Mr. Depew noted his hope the new editor of the Oxford Press would put something in it besides the wonderful news about the new school where people couldn't afford to be employed to take care of it, or Miami doing great and wonderful things to expand the university where people were being disposed of and retiring because Miami couldn't afford to pay them. Mr. Depew stated the government was constantly asking the citizenry for more when there was less to be had.

Mr. Depew advised no one seemed to know about the plan for the bridge expansion on US-27 South except that more money was needed.

Mr. Depew relayed that Council might not have to tolerate him later this year because the IRS informed him that even though his previous employer falsified his W-2 he was responsible for getting it corrected. Mr. Depew noted if he didn't pay his taxes on time he would face a huge fine and imprisonment.

CONSENT AGENDA

MINUTES

Minutes of the February 7, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the February 1, 2012 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 1, 2012 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION
COUNCIL DESIGNEE

A Resolution No. 4664 appointing the Clerk of Council as designee for the City of Oxford's elected officials relative to the mandatory Public Records Training as required by the Ohio Public Records Act. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
HAZARD MITIGATION PLAN

A Resolution No. 4665 adopting the applicable portions of the Butler County, Ohio Countywide All Natural Hazard Mitigation Plan. (Doug Elliott, City Manager)

Mr. Dreisbach advised the proposed Resolution pertained to the presentation Council heard earlier this evening and it was necessary to ensure the City remained eligible for federal emergency management funds in the future.

Mr. Snyder moved to adopt Resolution No. 4665. Ms. Rousmaniere seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

ORDINANCE
ANNEXATION

An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 304.704 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager)

Mr. Snyder recused himself noting prior to being elected to City Council in the fall he had been involved in the annexation negotiations with his previous employer.

Mr. Dreisbach advised Council had already passed a Resolution to provide City services to this area and a pre-annexation agreement was in place with the owners. Mr. Dreisbach noted this was another step of the annexation process and the Board of County Commissioners had approved the annexation.

Mayor Keebler noted the annexation had been well discussed and this was another required step of the process. Mr. Harman noted it was his understanding that the property tax would stay with the township and Mayor Keebler advised yes, the township would remain whole with regard to property tax.

ORDINANCE
SECOND READING

ORDINANCE
NEW SECTION 141.05

An Ordinance No. 3169 Adopting New Section 141.05 Of The Codified Ordinances Of The City Of Oxford, *Term Limits For Boards And Commissions*, Establishing Term Limits For Members Serving On Boards And Commissions. (Doug Elliott, City Manager)

Mr. Dreisbach advised at Council's request, the proposed Ordinance would codify the term limits as discussed during the January 3, 2012 Work Session.

Ms. Kathleen Zien, 6060 Joseph Dr., advised she felt Council had good intentions by adopting the proposed Ordinance and noted reappointing a sitting member a month after their term expired was regrettably what would happen now. Ms. Zien advised for convenience, Councils thought reappointing the same people again and again was harmless and urged the current Council not to.

Ms. Zien advised she knew Council members could not serve on the Board of Zoning Appeals (BZA) and noted her point at the last meeting was that Council didn't interface with the BZA or even attend meetings, so they didn't have firsthand experience of how the board operated or performed. Ms. Zien advised many times decision standards for an appeal weren't met by any stretch and yet one or two members would approve an appeal. Ms. Zien noted reading the BZA minutes or a staff report on the consent agenda would never replace live dialog and being in chambers during a BZA meeting.

Ms. Zien advised even if Mr. Snyder made a speculative suggestion during the Work Session and not a declaratory statement that term limits should be based on the complexity or duties of the board it was a valid concern and most appropriate. Ms. Zien noted when Council was behind closed doors making appointment decisions those duties and complexities should be in their forefront. Ms. Zien advised the option to leave a position un-appointed wasn't the answer as it could eliminate a quorum or result in a tie vote. Ms. Zien noted a member of the Civil Service Commission was an attorney and it was a critical commission involving personnel hearings where a practicing attorney's experience was valuable. Ms. Zien advised the City didn't have an attorney or anyone with legal training on the quasi-judicial BZA where it was also needed. Ms. Zien noted the same people were reappointed who blatantly ignored decision standards and approved appeals that should be denied and there was no apparent method for performance review of a board or commission. Ms. Zien advised the Law Director in attendance at BZA meetings might not report back to Council even casually that the Chair had called for a continuance that wasn't warranted or that one or more members repeatedly didn't understand the purpose of decision standards. Ms. Zien noted if Council did not edit the Ordinance to mandate one year of non-service before reappointing someone to the same board they would do nothing to improve the system. Ms. Zien inquired why it should take a citizen 'watchdog' to make Council aware of problems with term limits, board performance and the issue of 'standing'. Ms. Zien strongly recommended that Council absolutely, positively did not reappoint a BZA member whose term would end on June 30, 2012. Ms. Zien noted to approve the Ordinance tonight as written would be a disservice to the community.

Ms. Rousmaniere thanked Ms. Zien for her comments. Ms. Rousmaniere reiterated that she felt the Ordinance would only work if the City also made an effort to recruit new people for boards and commissions. Ms. Rousmaniere noted her hope that recruiting new people would alleviate some of the problems described.

Mayor Keebler reminded everyone that the problems described were in the eyes of the individual who spoke and not everyone thought the Ordinance was being considered because there were problems. Mayor Keebler noted Council did think it was important to recruit additional qualified people to serve on boards and commissions.

Mr. Snyder moved to adopt Ordinance No. 3169. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Dreisbach noted he was sitting in for Mr. Elliott who was in Columbus meeting with other City Managers in Ohio.

Mr. Dreisbach advised the City would begin installing a new water main on High Street beginning March 5th and there would be some street closures and construction. Mr. Dreisbach noted the work was necessary in advance of the High Street reconstruction project which would begin on or about May 7, 2012. Mr. Dreisbach advised the businesses and sidewalks would remain open during the construction and encouraged everyone to continue doing business in Uptown Oxford.

Chief Holzworth advised he was sure everyone was aware of a burglary issue in town and noted in 2008 from January 1st to February 20th there were 12 burglaries, in 2009 there were the same amount of burglaries, in 2010 there were 20, in 2011 there were 14 and this year there had been 29 during the same timeframe. Chief Holzworth advised the Police Department was keenly aware of the significant increase in burglary activity and had plans in place to address it. Chief Holzworth noted the Police Department had a very productive staff meeting today and would hold an expanded staff meeting tomorrow regarding the issue. Chief Holzworth encouraged citizens to contact the Police Department if they wanted a Police Officer to conduct security audit at their property to evaluate the security in place and make recommendations for improvements. Chief Holzworth noted if there was a block or group of people that would like an officer to come and talk to them about the problem they should contact the Police Department to schedule a meeting. Chief Holzworth assured everyone that the Police Department was actively working to resolve the issue.

Mayor Keebler encouraged citizens to feel free to call the Police Department if they saw anything unusual occurring in their neighborhoods. Mayor Keebler advised nixle.com was a very valuable service where citizens could receive local police bulletins and other important messages.

Ms. Rousmaniere advised the Oxford League of Women Voters was sponsoring a forum on Municipal Aggregation to purchase energy (gas and electric) on Tuesday, February 28, 2012 at 7:30 p.m. at the LCNB Community Room. Ms. Rousmaniere noted aggregation in general referred to many customers joining together to form a buying group, and municipal aggregation referred to a municipality organizing the pooling of its citizens to become the buying group. Ms. Rousmaniere noted the municipality then sought offers on behalf of its constituents to obtain better prices, terms and services than what would be available for an individual.

Ms. Rousmaniere advised during the forum a panel of experts would discuss their experiences and understanding of aggregation and how it could be something the community might consider.

Mr. Harman noted the Oxford Senior Center would host its 4th annual Soul Dinner on Saturday, February 25th at 5:00 p.m.

Mr. Harman advised the Historic Marker Workshop would take place on Thursday, February 23rd from 6-7 p.m. at the Smith Library of Regional History.

Mr. Harman advised Council received a thank you letter from Brad Mills, Milford Township Trustee thanking them for their efforts related to the improvements at the intersection of SR73 and SR127. Mr. Harman noted his hope the good relationship between the City and Milford Township would continue.

Mr. Blackburn noted as a result of his accident he had the opportunity to see Colerain Township EMS in action and they did a great job. Mr. Blackburn advised the Oxford EMS, McCullough Hyde Hospital and the Knolls of Oxford all did a great job as well and noted Oxford was fortunate to have these services available in the community.

ADJOURN

Mr. Bogard moved to adjourn at 8:12 p.m. Mr. Snyder seconded. The motion passed 7-0-0.