A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, February 7, 2017 at 7:30 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Kim Newton, Acting Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. McKeehan moved to approve the agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

Swearing-In – David L. Morgan II, Police Officer.

Chief Jones introduced Officer David L. Morgan II and noted Officer Morgan is a graduate of Eaton High School in Preble County and attended Bryant University in Rhode Island where he played football until he suffered a career ending injury. Chief Jones advised Officer Morgan returned home after his injury took some classes at Miami University then transferred to Sinclair University where he earned his associate's degree in psychology as well as his associate's degree in criminal justice. Chief Jones also noted Officer Morgan graduated from the Police Academy in 2016.

Mr. McHugh performed the swearing in of Officer Morgan and Chief Jones presented Officer Morgan with his badge.

Officer Morgan thanked the City for the opportunity and noted he would do his best and will work hard every day, and promised if there are any issues he would take full responsibility and will do everything he can to reflect positively upon the City of Oxford.

A round of applause followed and Mayor Rousmaniere congratulated Officer Morgan.

PUBLIC COMMENTS

Ms. Prue Dana, advised that the League of Women Voters 2017 Oxford Area Government Services Directory was included in Council's packets and advised copies of the Directory are available to the public at the Chamber of Commerce as well as the City Building. Ms. Dana thanked everyone who helped put it together including Ms. Eaton and Ms. Newton for their assistance in checking names.

CONSENT AGENDA

MINUTES

Minutes of the January 17, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 4, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the January 4, 2017 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 10, 2017 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 12, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the January 18, 2017 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
OXFORD AREA TRAIL PHASE 1
CONSTRUCTION CONTRACT

A Resolution By Oxford City Council Accepting The Bid And Authorizing The City Manager To Enter Into A Contract With W.G. Stang LLC For Oxford Recreational Trail Phase I At A Cost Of $535,596.00 Plus A Contingency Amount Of Ten Percent (10%) Of The Contract Price $53,559.60, For A Total Cost Not To Exceed $589,155.60. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to his report on page 19 in the agenda and advised in 2014 the City received an award of $500,000 from the Ohio Department of Natural Resources (ODNR) for the Oxford Recreational Trail Phase I. Mr. Chen noted a legal notice was published in local newspapers and on the city's website in December 2016 with the bid opening on January 22nd. Mr. Chen advised the city had 34 interested parties with six (6) contractors submitting eight (8) different bids due to the stipulation of the completion date which offered two bid schedule options; one on June 1, 2017 and the other on June 15, 2017. Mr. Chen advised the contract with ODNR will be terminated on June 30, 2017 and noted the need to get the construction moving forward. Mr. Chen advised the lowest bid was received by W.G. Stang, LLC with an anticipated completion date of June 1, 2017.

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

Ms. Southard noted the City has worked with W.G. Stang before and asked staff to elaborate. Mr. Chen advised the Service Department has worked with W.G. Stang before and they have performed above the satisfaction level.

Mr. Dana moved to adopt Resolution No. 5042. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTION
ELECTRICITY GENERATION
AND TRANSMISSION

A Resolution Authorizing The City Manager To Enter Into An Agreement With Dynegy Energy Service, LLC For The Procurement Of Electricity Generation And Transmission For The City's Consumption For A Period Of Thirty Six Months Beginning April 2017. (Mike Dreisbach, Service Director)

Mr. Dreisbach referred to his staff report on page 22 of the agenda and advised the current contract to buy electricity for the City's municipal purposes ends in April 2017. Mr. Dreisbach noted in 2011 the City was paying for electrical generation needs at $0.0549 cents per kilowatt hour and in 2014 it was lowered to $0.0533 cents per kilowatt hour. Mr. Dreisbach advised as of this morning the City has a lower price of $0.0465 cents per kilowatt hour noting the savings are significant with a savings of approximately thirty to forty thousand dollars annually.

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

Mr. Dana referred to page 25 of the agenda and noted the table indicated terms and prices which the customer initials, and inquired if this is something that happens in the future. Mr. Dreisbach advised if Council authorizes the Resolution, the thirty-six (36) month option will be selected which will go through April 2020 at a fixed rate of $0.0469 per kilowatt hour. Mr. Dreisbach noted the rate was for the general commercial use and advised the street lighting accounts are less at a rate of $0.0365 cents per kilowatt hour.

Mr. Dana moved to adopt Resolution No. 5043. Mr. McKeehan seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SALE OF PROPERTY

An Ordinance By Oxford City Council Authorizing The City Manager To Take All Steps Necessary To Complete The Sale Of City Owned Property Located At 4134 Millville Oxford Road (Butler County Parcel Number H4100145000001) At A Purchase Price Of Fifty Thousand Dollars ($50,000.00) To Mr. John Pellegrini. (Mike Dreisbach, Service Director)

Mr. Dreisbach referred to his staff report on page 27 of the agenda and advised City Council had approved a resolution at their January 17, 2017 meeting authorizing the City Manager to enter into a real estate listing agreement with Oxford Real Estate, Inc. to list the City's real property located at 4134 Millville Oxford Road. Mr. Dreisbach noted the City was presented with an offer of purchase by Mr. John Pellegrini for a sale price of $50,000.

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

ORDINANCE
PRELIMINARY AND FINAL PUD

An Ordinance Accepting The Planning Commission's Recommendation For Preliminary And Final Plan Approval For Redevelopment Of The Miami Village Apartment Complex Located On Arrowhead Drive And E. Chestnut Street With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to his staff report on page 40 of the agenda and provided Council with a summary and Power Point presentation of the project. Mr. Chen advised the proposed development is a redevelopment project located on Arrowhead Drive and East Chestnut Street and consists of 11 existing buildings with 188 dwelling units and a current capacity of 460 occupants. Mr. Chen noted the plan is to demolish all 11 buildings and to construct 3 buildings on the site for a total of 128 dwelling units and an anticipated occupancy of 400 occupants which will be constructed at the same time in one single phase.

Mr. Chen advised the applicant also owns and operates "Chestnut Place" which is located to the north of the property and noted the project contains an amenity space what will be available to the residents of the project including the residents of "Chestnut Place". Mr. Chen advised the new buildings will be three (3) stories in height and will have a mixture of building materials that will fit into the neighboring building facades. Mr. Chen also advised there are currently six (6) driveways on both sides of Arrowhead Drive and the redevelopment will reduce the number of driveways to two (2).

Mr. Chen noted the Planning Commission went through a lengthy discussion about the project and design, and advised the Planning Commission recommended approval of the preliminary and final Planned Development, and recommended waiving the site development regulations identified by staff and subject to conditions (listed on page 41 of the agenda) for Council's consideration.

Mr. Guy Totino, applicant, provided a Power Point presentation of the project noting they are very excited about the project and have enjoyed the planning process with staff and the Planning Commission. Mr. Totino expressed his feeling they have come up with an excellent site plan and conclusion to the project noting this is an infill project with existing, older, dilapidated buildings that are in dire need of improvement. Mr. Totino advised they looked hard at trying to save the existing buildings noting it was not economically sound to do so due to the status of the buildings and the configuration of the units. Mr. Totino noted they are thrilled to make another investment in the Oxford community.

Ms. Etta Reed, Bayer Becker, advised she was the civil engineer for the project and reviewed the site plan and the changes made to the parking area for safety purposes. Ms. Reed pointed out some of the highlights she felt would improve the site, and advised there will be significant open space along the drainage way resulting from pulling some of the buildings and parking away to provide for green space which is good for the stream and drainage way. Ms. Reed advised they have improved site circulation and safety by removing ~~all~~ the small parking areas and driveways, and creating two (2) parking lots and entrances. Ms. Reed also advised they would be eliminating a sanitary lift station located on the east side of the development and noted the existing pavement will be mulched and used for the base of the new pavement. Ms. Reed discussed the waivers and noted the building count will be reduced by eight (8) and the number of units will be reduced by sixty one (61) with the number of bedrooms increasing by 149. Ms. Reed advised the maximum lot coverage requirements for a PUD was 40% and explained that within the R-3 district you can go up to 50 to 70% lot coverage. Ms. Reed noted the current lot coverage is 86.5% and the proposed development will have a lot coverage of 59.4%. Ms. Reed discussed the condition of additional trees and noted street trees will be planted along Arrowhead Drive, and will meet the City's Street Tree Ordinance and a six (6) foot tall fence will be installed along the railroad tracks for safety purposes.

Mr. Blackburn inquired if the project would be built all at once or in phases and Ms. Reed advised it would be constructed at one time. Mayor Rousmaniere inquired when the construction would take place and Ms. Reed advised that construction will start near the end of May after the students are gone.

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

Mr. Dana referred to page 51 of the agenda regarding issues still needing review and wanted to confirm that the issues will, or have been addressed and Ms. Reed advised yes. Mr. Dana also referred to the Engineer's comments on page 54 of the agenda and noted he assumed they would be addressed and Ms. Reed advised they would be addressed once the project has been approved by City Council.

Mr. McKeehan inquired how long the partners have owned the property and Mr. Totino advised their arrangement on the lien is through a land lease noting they are under contract to lease the land. Mr. Dana expressed his feeling that the project is attractive to him due to it being an infill project stating the issues involved with growth management can be formidable in Oxford and noted the applicant has provided Council with a very good solution. Mr. Dana advised he is very much in favor of the project.

Mayor Rousmaniere asked for clarification regarding the number of units being reduced from 188 to 128 and the number of beds increasing from 255 to 404. Mr. Totino advised that one of the issues was that the current buildings have much smaller units that are one (1) bedroom units, noting that is not attractive today to students and tenants who would prefer a larger unit with a larger bedroom. Mr. Totino advised that a lot of their buildings will have three (3) to four (4) bedroom units and noted the ratio per parking space per student has gone down.

Mayor Rousmaniere advised that a citizen who has been a long-term resident at one of the current apartment buildings recently contacted her and advised her that her lease will be up on

July 31st and was told she has to leave by July 1st. Mr. Totino advised that would be the existing landlord's arrangement with the tenant and noted he and his partners have nothing to do with the arrangement. Mayor Rousmaniere inquired when the buildings would start being torn down and Mr. Totino advised June 1st.

Mayor Rousmaniere inquired what the name of the complex "Verge" stood for and Mr. Totino advised it is a common student housing name in other markets.

Mr. Chen advised the Planning Commission is requesting the City consider installing a crosswalk at Arrowhead and Chestnut once the project is complete. Ms. Southard advised that this item was discussed at the Planning Commission meeting as well as the safety issues regarding the railroad. Mr. Dana reiterated this would address the safety issues that were of concern to the Planning Commission.

ORDINANCES
SECOND READING

ORDINANCE
CODE UPDATE

An Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Mayor Rousmaniere inquired if there were any changes since the first reading of the Ordinance and Ms. Newton advised there were no changes.

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

Mr. Dana moved to adopt Ordinance No. 3392. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn, Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW CHAPTER 7
PROPERTY MAINTENANCE CODE

An Ordinance Repealing Oxford Property Maintenance Code Chapter 7 Entitled Fire Safety Requirements And Adopting New Oxford Property Maintenance Code Chapter 7 Entitled Fire Safety Requirements. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no additional information since the first reading of the Ordinance.

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

Mr. McKeehan moved to adopt Ordinance No. 3393. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn, Mr. Dana, Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Newlin advised he had made two (2) changes to the Ordinance since the first reading noting one (1) change to "Issue 2" which is to make an adjustment to the budget for OVI reimbursements to be received in 2017, and adding one (1) item to "Issue 3" to include $320,000.00 for additional medical expenditures from the unencumbered balance in the Employee Benefits fund (230).

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

Mr. Dana moved to adopt Ordinance No. 3394. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the Performing Art Series of Miami University will be welcoming back the "It Gets Better Tour" to Oxford on February 20 through 25. Mr. Elliott noted the project is an ensemble of the Gay Men's Chorus of Los Angeles that travels to communities nationwide to produce a week of educational workshops culminating in a moving musical theater performance. Mr. Elliott advised the highlights include anti-bullying, tolerance, and acceptance through community roundtable discussions, high school visits, "It Gets Better" videos, and creative exercises. Mr. Elliott noted it includes a full week of events planned for the Talawanda School District, Miami University, and the Oxford community and was a huge success when they were here in 2013.

Mr. Elliott advised the City of Oxford and the City of Differdange, Luxembourg have expressed an interest in creating a Sister Cities partnership noting Miami University's Dolibois European Center is located in Differdange so it makes sense to formalize an agreement between the two cities. Mr. Elliott noted such an agreement could serve to further strengthen the relationship between our two communities and provide opportunities, beyond those already offered by Miami University to students, to nurture economic, social, and cultural understanding and goodwill. Mr. Elliott advised that representatives of Differdange, Luxembourg will be coming to Miami University and Oxford on February 18-21 of this year. Mr. Elliott noted their purpose is to visit Miami University and to finalize a Sister Cities agreement between our two communities and he advised that he has been working with Mayor Rousmaniere along with officials from Miami University to make preparations for this visit. Mr. Elliott also advised he has drafted a one page Sister Cities agreement to begin this formal relationship between the two communities.

Mr. Elliott provided an update on the deer management program which ended last Sunday, February 4th and advised that seven (7) deer had been harvested this year with a total of 98 deer being harvested since the program began in 2009. Mr. Elliott noted the venison can be donated to the Community Meal Pantry in Middletown and through the years the program has donated approximately 2500 pounds of venison to the Pantry for those in need of food.

Mr. Elliott advised that the Governor's budget is proposing a centralized collection of municipal income tax for businesses noting the current legislation, as it relates to our income tax regulations was passed by an earlier General Assembly and the notion of centralized collection of municipal income tax was included in the legislation. Mr. Elliott noted that the Municipal League and many communities fought to get that out of the legislation and voiced his disappointment to see that it is included in the Governor's budget proposal. Mr. Elliott noted staff is pleased with the way our income tax is administered by the Regional Income Tax Agency (RITA) which collects and administers the income tax for 209 Ohio municipalities. Mr. Elliott advised that the collection of the City's income tax by RITA has been very effective and efficient noting in 2015 that RITA collected 9.1 million dollars with an administrative cost of $120,961 which represents 1.32 percent of the city's collection total. Mr. Elliott noted that in the Governor's proposal, the Governor is talking about only charging one (1) percent because many communities have contracts for two to three percent and advised we are talking about a very significant program for the City because it is the largest source of revenue for both the general fund, which funds the city's capital improvement programs, as well as the City's Fire and EMS fund. Mr. Elliott reiterated his concern about the Governor's proposal noting if the State takes it over, will the compliance be as good as it is with RITA. Mr. Elliott expressed his feelings that he hopes the General Assembly will spend time reviewing this proposal and listen to the municipalities on this very important revenue source. Mr. Elliott also advised that the Governor is proposing in his budget a "means test" as part of the local government fund noting the City has seen a reduction in local government funding of approximately fifty (50) percent which amounts to a little over $350,000 a year. Mr. Elliott advised that he has not seen any details about what the Governor means by a "means test" beyond the general statements that have been sent to the City by the Municipal League, but noted they are basically looking to use this test to determine which political subdivisions will receive how much funding.

Chief Jones thanked Council for the opportunity to swear in the new Police Officer.

Mr. Wooddell thanked the Talawanda School District for recently donating items from the old Kramer Elementary to the TRI Community Center.

Mr. Kyger advised that Hornfeck Family Dentistry had their ribbon cutting tonight and noted they are located at 5279 Morning Sun Road. Mr. Kyger also advised that a ribbon cutting and grand opening was held tonight for the Butler Behavior Health Services/Oxford Community Counseling Center located at 5223 College Corner Pike. Mr. Kyger advised that Anytime Fitness will have their grand opening ribbon cutting on February 22nd on College Corner Pike. Mr. Kyger noted the City recently made an announcement to keep the Uptown tree lights on until Daylight Savings and advised he had posted the announcement on the Economic Development's Facebook page noting over 3500 people have looked at the post and made comments such as, "I like the lights so much, they make the Uptown look magical."; "I've been so happy to go Uptown and still see the lights on."; "Great idea."

Mr. McHugh advised that the Black Bridge agreement for the Bike Path has been approved by the Oxford Museum Association and will go to the Oxford Township Trustees for approval on Monday, February 13th and thereafter will be go to the County Commissioners for approval.

Mr. Ellerbe congratulated new Police Officer David L. Morgan II on his appointment.

Mr. Dana reiterated City Manager Elliott's concerns regarding the Governor's proposed budget and the possibility of a resolution and urged Council to join him in having a resolution to address the issues that the City faces because of what the State is doing and noted there will be a second opportunity for people to address State Representative Candice Keller. Mr. Dana advised that Ms. Keller was scheduled to meet with City Council earlier in the evening during a work session but noted she had an emergency and could not come and has reached out to him to reschedule the meeting. Mr. Dana noted when Ms. Keller comes back for the rescheduled work session, the public, City Council and staff will have the opportunity to talk with her about issues that surround the City's relationship with the State of Ohio. Mr. Dana offered to provide a document from the Ohio Municipal League to anyone who wanted it that talks about the key points of restoration of the Local Government funds as well confronting the opioids addictions.

Ms. Southard thanked the Talawanda School District for the donation of freezers from the old Kramer Elementary school to the Oxford Choice Pantry noting that kind of cooperation is something that should be celebrated.

Mr. Blackburn inquired if Law Director Steve McHugh was involved with the Sister Cities agreement with Oxford noting Mr. McHugh was involved with a Sister City program in Englewood, Ohio. Mr. Blackburn advised that Mr. McHugh might be able to provide knowledge from his involvement with the Sister City program in Englewood to the City of Oxford in preparing the agreement. Mr. Elliott advised that the agreement will be provided to Council noting it is a general statement which recognizes and formalizes a city-city relationship and advised he and the Law Director have had many conversations regarding the agreement.

Mayor Rousmaniere expressed her disappointment that State Representative Keller had to cancel the work session and expressed her hope the meeting will be rescheduled.

ADJOURN

Mr. Dana moved to adjourn at 8:39 p.m. Mr. Blackburn seconded. The motion passed 7-0-0.