



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 1, 2011

EXECUTIVE SESSION

None

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; John Harman; Bob Blackburn; Kevin McKeehan; Kate Currie; Greig Rutherford

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.

3. Public Participation.

A. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

A. Minutes of the February 15, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. A Resolution authorizing the temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 1, 2011 starting at 5:00 p.m. to Saturday, April 2, 2011 at 3:00 a.m. at Millett Hall (outside and concourse) on Miami's Campus for the American Cancer Society Relay for Life. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

C. A Resolution authorizing the temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 15, 2011 from 10:00 p.m. to 1:00 a.m. on the back patio at the Shriver Center for a Miami After Dark Spring Marquee event. (Mary Ann Eaton, Clerk of Council)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the City Manager to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold an event on July 29, 2011 from 5:00 p.m. to 10:00 p.m. in the Oxford Memorial Park. (Doug Elliott, City Manager)



Staff Report/Resolution

2. A Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors and Convention Bureau for the 2011 annual Summer Music Festival. (Doug Elliott, City Manager)



Staff Report/Resolution

6. Ordinances.

A. First Reading - None.

B. Second Reading - None.

7. A. Announcements & Communications. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, the Oxford City Council, or the City staff.

1. Remarks from City Council and City Staff.

- B. Future Meetings. (Note: Meetings will be held at the Court House unless otherwise indicated.)

WED - Mar 2 Environmental Commission Meeting 7:00 p.m. Municipal Building

WED - Mar 2 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

TUES- Mar 8 Planning Commission Work Session 6:15 p.m.

TUES - Mar 8 Planning Commission Meeting 7:30 p.m.

THUR -Mar 10 Police Advisory Commission Meeting 7:00 p.m. Senior Citizens Center

TUES - Mar 15 City Council Meeting 7:30 p.m.

WED - Mar 16 Board of Zoning Appeals Meeting 7:30 p.m. Cancelled

THUR - Mar 17 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

MON - Mar 21 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

WED - Mar 23 Civil Service Commission Meeting 7:00 p.m.

FRI - Mar 25 Community Improvement Corporation Meeting 12:00 p.m. LCNB

FRI - Apr 1 Student Community Relations Commission Meeting 3:00 p.m. LCNB

TUES - Apr 5 City Council Meeting 7:30 p.m.

WED - Apr 6 Environmental Commission Meeting 7:00 p.m. Municipal Building

WED - Apr 6 Historic and Architectural Preservation Commission Meeting 7:30 p.m.

TUES - Apr 12 Planning Commission Meeting 7:30 p.m.

THUR - Apr 14 Police Advisory Board Meeting 7:00 p.m. senior Citizens Center

FRI - Apr 15 Student Community Relations Commission Meeting 3:00 p.m. LCNB

MON - Apr 18 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Apr 19 City Council Meeting 7:30 p.m.

WED - Apr 20 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Apr 21 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

FRI - Apr 22 Community Improvement Corporation Meeting 12:00 p.m. LCNB

WED - Apr 27 Civil Service Commission Meeting 7:00 p.m.

FRI - Apr 29 Student Community Relations Commission Meeting 3:00 p.m. LCNB

8. Adjourn.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: March 1, 2011

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 23, 2011

Date Prepared

Agenda Title: Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors and Convention Bureau for the 2011 annual Summer Music Festival.

Recommendation:

Discussion:

Council has approved this request every year since 2005. The fee for each street closure is \$135.00. The cost for 8 concerts is \$1,080.00.

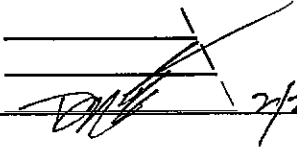
Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 2/23/11

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE FEES ADOPTED IN THE FEE ORDINANCE FOR THE STREET CLOSINGS FOR THE VISITORS AND CONVENTION BUREAU FOR THE 2011 ANNUAL SUMMER MUSIC FESTIVAL.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Visitors and Convention Bureau hereby requests Council's consideration of their request for waiver of the street closure fees for the 2011 Annual Summer Music Festival.

SECTION 2: Council having considered the request determined that the Summer Music Festival is a benefit to the entire community and that waiving the fees for the street closings is in the best interest of the community, hereby authorizes the City Manager to waive the fees for the street closings for the 2011 Annual Summer Music Festival.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



February 21, 2011

City of Oxford
101 East High Street
Oxford, OH 45056

Attention: Doug Elliott, City Manager

RE: 2011 Oxford Summer Music Festival Concert Series Street Closure Waiver Request

Dear Mr. Elliott,

On behalf of the Oxford Visitors and Convention Bureau Board of Directors, we would like request consideration for the waiver of fees to close the streets for the 2011 concert series.

Sincerely,

Diana Durr, Executive Director

14 W. Park Place, Suite C · Oxford, Ohio 45056
Phone: (513) 523-8687 Fax: (513) 523-2927
info@enjoyoxford.org ~ www.enjoyoxford.org



INTEROFFICE MEMO

DATE: February 17, 2011
TO: City of Oxford
FROM: Diana Durr
RE: 2011 Music Festival Concert Series Revised Permit Request

Due to limited sponsorship funding, the schedule for the concert nights are the following:

June 9, June 23, July 7, July 28, August 4, August 11, August 18, August 25

Diana

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 1, 2011

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 23, 2011

Date Prepared

Agenda Title: A Resolution authorizing the City Manager to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold an event on July 29, 2011 from 5:00 p.m. to 10:00 p.m. in the Oxford Memorial Park.

Recommendation: N/A

Discussion:

This event was approved by Council last year to welcome the Porsches2Oxford participants to the City. The event will last two hours longer this year (from 5:00 p.m. to 10:00 p.m.) if approved by Council.

Last year the event was from 6:00 p.m. to 9:00 p.m.

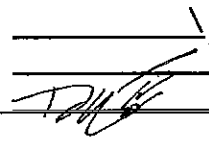
Approved By:

Initial Date

Department Head:

City Attorney:

City Manager:

 2/28/11

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PERMIT THE OXFORD VISITORS AND CONVENTION BUREAU IN CONJUNCTION WITH THE OXFORD LIONS CLUB TO HOLD AN EVENT ON JULY 29, 2011 FROM 5:00 P.M. TO 10:00 P.M. IN THE OXFORD MEMORIAL PARK.

Be it resolved by the Council of the City of Oxford, Butler County, State of Ohio, that:

SECTION 1: The Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club wish to sponsor an event which will be open to the public and will give people the opportunity to welcome the Porsches2Oxford participants to the City of Oxford.

SECTION 2: The Oxford Lions Club as the service organization will obtain an F-2 State of Ohio Liquor Permit, which will allow for the sale of beer and wine only to those of legal age for on premises consumption.

SECTION 3: The Oxford Lions Club as the service organization will be required to carry a liability insurance policy and an additional liquor liability policy.

SECTION 4: The Oxford Lions Club will rope off the Oxford Memorial Park area and each attendee wishing to enter the roped off area will be required to be at least 21 years of age and be required to wear a wrist band.

SECTION 5: The City Manager is hereby authorized to take all steps necessary to permit the Oxford Visitors and Convention Bureau in conjunction with the Oxford Lions Club to hold an event to welcome the Porsches2Oxford participants to the City of Oxford on July 29, 2011 from 5:00 p.m. to 10:00 p.m. in the Oxford Memorial Park.

SECTION 6: This Resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:
ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: BOB BLACKBURN
PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: March 1, 2011

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

February 22, 2011
Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 15, 2011 from 10:00 P.M. to 1:00 a.m. on the back patio at the Shriver Center for a Miami After Dark Spring Marquee event.

Recommendation: N/A

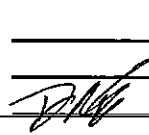
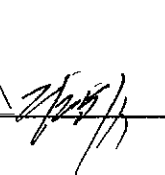
Discussion:

This request is for the Miami After Dark Spring Marquee event on the patio at the Shriver Center. For the last several years Council has approved the Noise Abatement for this event.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 15, 2011 FROM 10:00 P.M. TO 1:00 A.M. ON THE BACK PATIO AT THE SHRIVER CENTER FOR A MIAMI AFTER DARK SPRING MARQUEE EVENT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the Miami After Dark Spring Marquee event on Friday, April 15, 2011 from 10:00 p.m. to 1:00 a.m. on the back patio at the Shriver Center on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the Miami After Dark Spring Marquee event on Friday, April 15, 2011 from 10:00 p.m. to 1:00 a.m. on the back patio at the Shriver Center on Miami's Campus.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : April 15, 2011

FROM: 10 ^{a.m.}
p.m. TO: 1 ^{a.m.}
p.m.

ACTIVITY/EVENT TO BE UNDERTAKEN:

After Dark Spring Marquee

LOCATION (attach copies of paperwork showing approval to use site): Shriver
Back Patio

NUMBER OF PEOPLE EXPECTED TO ATTEND: 250-300

OPEN TO PUBLIC
ALCOHOL AVAILABLE

YES
YES

NO
NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Minimal- Possible DJ or Miami Steel Drum Band (w/no amplification)

SOUND MONITORING PLANS (including person in charge of this process):

We will walk the area to make sure it's not carrying

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: Miami After Dark

ADDRESS: 356 Shriver Center

Is this a registered student organization at Miami University? Yes

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: Math Gassner

ADDRESS: 356 Shriver Center TEL. #: 920.627.4744

What is the contact person's relation to the organization (title, etc.)?

President

**ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT
AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF
RELEVANCE.**

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol free.

Applicant's signature [Signature] Date: 2-16-11

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 15, 2011 at 7:30 p.m. Those members present were Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan. Kate Currie was excused.

Staff members present: Mr. Alan Kyger, Acting 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. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION **COMMUNITY COUNSELING** **& CRISIS CENTER/ST. ALOYSIUS** **ORPHANAGE OF CINCINNATI, OHIO**

Mr. James Robinson, noted he was pleased to present Carolyn Barker, Interim and Acting Director of the Community Counseling & Crisis Center and Alan Oak, a member of their Board. Mr. Robinson advised representatives from St. Aloysius were also present to make an announcement that would benefit the community and allow for the strong tradition of the Community Counseling & Crisis Center to continue as it had been in this community.

Mr. Alan Oak, on behalf of the Board of the Community Counseling & Crisis Center noted he was pleased to announce they were affiliating with the St. Aloysius organization to strengthen opportunities to serve clients in this portion of Butler County. Mr. Oak introduced Mr. Pank Goulet, Executive Director of St. Aloysius Orphanage of Cincinnati, Ohio.

Mr. Pank Goulet, noted it was a proud day for St. Aloysius to be able to formally announce this affiliation. Mr. Goulet advised next year St. Aloysius would be 175 years old and the Community Counseling & Crisis Center was coming up on its 50th year. Mr. Goulet noted the missions, visions and core values of both organizations matched identically. Mr. Goulet advised St. Aloysius had a history of working with children and troubled families and through this affiliation, services would be expanded in this portion of Butler County to provide cradle to grave services to anyone in need. Mr. Goulet noted no one would be rejected or turned away. Mr. Goulet advised he was honored and privileged to be before Council tonight to make this announcement.

Mr. Bogard advised having been a former Board Member and President of the Community Counseling & Crisis Center he was involved in the negotiation and affiliation process. Mr. Bogard noted St. Aloysius and the Community Counseling & Crisis Center provided outstanding mental health and counseling services for northwest Butler County. Mr. Bogard advised Council looked forward to St. Aloysius involvement and participation in the greater Oxford area.

PUBLIC COMMENTS

Mr. Matthew Steger, advised he was a student and had lived in Ohio for 5 years. Mr. Steger addressed Council regarding his safety concerns at the intersections of Beech and Withrow, Beech and Walnut, Walnut and Main, Walnut and Poplar, Collins and Main, Collins and Poplar and Collins and Campus. Mr. Steger advised he had researched accident reports which he provided to Council and noted 19 accidents had occurred at those intersections over the last two years. Mr. Steger noted he and a friend were involved in an accident at the intersection of Collins and Main. Mr. Steger advised he felt the root of the problem was the inability of the vehicles traveling east and west to properly see the vehicles traveling north and south as the line of sight was obstructed by vehicles parked on Main, Campus and Beech streets. Mr. Steger offered three proposals to assist with the problem as follows:

1. Post signs at the intersections stating "Thru Traffic Does Not Stop".
2. Increase the no parking areas along Main, Campus and Beech.
3. Turn the intersections into 4 way stops.

Mr. Steger asked Council to consider his concerns.

Mayor Keebler advised the information would be passed along to the City Manager and Police Chief for their comments.

CONSENT AGENDA

MINUTES

Minutes of the February 1, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the January 11, 2011 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the January 26, 2011 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the January 27, 2011 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

Report regarding the February 2, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 2, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION **AGREEMENT WITH ODOT**

A Resolution No. 4588 by the Oxford City Council authorizing the City Manager to execute an agreement with the Ohio Department of Transportation for the resurfacing of State Route 732 from Chestnut Street to the City of Oxford's northern corporate limits. (PID No. 77746) (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was the final legislation needed to make this project come to fruition. Mr. Dreisbach noted the contract was estimated to be \$470,000 in total and the local share was \$161,442. Mr. Dreisbach advised \$150,000 was already budgeted for the local share and the balance was accounted for in the Supplemental Budget on tonight's agenda. Mr. Dreisbach noted if Council adopted the Resolution, ODOT would bid and manage the project with the work beginning in mid to late May.

Mr. Bogard advised it seemed anytime ODOT was involved in a project such as this the price escalated. Mr. Bogard asked Mr. Dreisbach to address the issue for the public.

Mr. Dreisbach advised ODOT charged a fair amount (10%) of the project cost for project inspection and since the City was not managing the project locally it was a cost that had to be paid. Mr. Dreisbach noted one had to weigh that with the benefit of the federal funds used to pay 80% of a project. Mr. Dreisbach advised some things were out of ODOT's control noting the price of oil could significantly impact the cost of asphalt and road materials.

Mr. Bogard moved to adopt Resolution No. 4588. Mr. Rutherford seconded. The motion passed 6-0-0.

RESOLUTION **HOUSE BILL 3**

A Resolution No. 4589 expressing opposition to House Bill 3. (Doug Elliott, City Manager)

Mr. Kyger advised Mr. Elliott testified against the effort to repeal the Estate Tax before the Ways and Means Committee. Mr. Kyger noted at the last meeting Mr. Elliott asked Council to consider the Resolution as he felt Council's support would give him more authority as he spoke in Columbus.

Mr. Rutherford advised when municipalities were in a budget crisis and already reducing spending and decisions were being made to reduce revenue that was a business that could not sustain itself. Mr. Rutherford noted it was important for everyone to give the bill serious consideration and let the state representatives know that if the bill passed it would benefit a few and hurt many.

Mr. Blackburn advised that Mr. Derickson had removed his name as a co-sponsor of the bill and it had been put on hold for two years.

Mayor Keebler advised amendments to the bill were being offered that would delay its implementation. Mayor Keebler noted he questioned the appropriateness of the Estate Tax. Mayor Keebler advised he felt if taxes were being reduced we should look at taxes that favored businesses and created jobs. Mayor Keebler noted in these difficult times he was ready to vote in favor of the Resolution.

Mr. McKeehan concurred with the comments made so far noting he was not a big fan of Estate Tax. Mr. McKeehan advised to suddenly withdraw it from municipalities was not fair.

Mr. Harman noted on average Oxford received \$340,000 per year from Estate Tax and not having that revenue would provide a hardship for the City.

Mr. Blackburn moved to adopt Resolution No. 4589. Mr. Rutherford seconded. The motion passed 6-0-0.

ORDINANCES

FIRST READING

None.

ORDINANCES

SECOND READING

ORDINANCE

FINAL SUBDIVISION

An Ordinance No. 3140 Approving The Final Subdivision Application For Campus Commons Subdivision, Phases Two And Three With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the Ordinance.

Mr. McKeehan moved to adopt Ordinance No. 3140. Mr. Blackburn seconded. The Ordinance was Adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
AMEND THE
PROPERTY MAINTENANCE CODE

An Ordinance No. 3141 Adopting The 2003 Edition Of The International Property Maintenance Code As Amended And Repealing Ordinance No. 2904. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the First Reading of the Ordinance. Mr. Chen noted staff had begun to look at the definition and distinction between noxious weeds and natural areas.

Mr. Rutherford referred to the fees on page 65 of the agenda and noted he felt the City wasn't doing much to discourage late payments for rental permits. Mayor Keebler advised Council would review that when the new Fee Ordinance was adopted. Mayor Keebler suggested removing the fees from exhibit "A" and referencing the Fee Ordinance. Mr. Rutherford inquired if the late fee was per unit and Mr. Chen advised yes.

Mr. Blackburn referred to exhibit "A" on page 65 of the agenda and moved to amend 103.5 Fee Schedule to read 'The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in the current annual fee schedule as adopted by Council.' Mr. Harman seconded. The motion passed 6-0-0.

Mr. McKeehan moved to adopt Ordinance No. 3141 as amended. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTION 935.20

An Ordinance No. 3142 Amending Section 935.20, *Notice To Cut, Destroy, or Remove*, Providing Single notice by publication And Placing Placard On The Property. (Jung-Han Chen, Community Development Director)

Mr. Dreisbach advised the proposed Ordinance reflected the changes in the previous Ordinance.

Mr. Rutherford noted the Ordinance stated if the City cut grass or weeds the City would place a lien on the property and inquired if the cost could be assessed instead. Mr. Dreisbach advised assessments were typically paid over a period of years and these costs would be minimal. Mr. Rutherford inquired if this process could be used as a model for clearing ice and snow from sidewalks. Mr. Dreisbach advised a snow and ice removal program would be a major undertaking.

Mr. Bogard moved to adopt Ordinance No. 3142. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance No. 3143 Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)

Mr. Newlin advised the last part of the legislation dealt with the refunding of bonds and the money was transferred to the escrow agent today. Mr. Newlin noted the City received its portion to pay those who helped process the bond.

Mr. McKeehan moved to adopt Ordinance No. 3143. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS & COMMUNICATIONS

REQUEST TO WAIVE FEES

Ms. Sharon Klein, Director of Community and Employee Wellness for the Coalition for a Healthy Community-Oxford, Ohio-Area Leadership Team, advised McCullough-Hyde Hospital had held a Health and Safety Fair for the last three years and this year they wanted to expand the event under the sponsorship of the Coalition for a Healthy Community.

Ms. Klein noted the group had been working with the Talawanda Schools, McCullough-Hyde, United Way, the Coalition and others to expand the event to meet the needs of the youth and families in the area. Ms. Klein asked for support from the City by donating the Parks and the High Street Banner fees to help offset the costs.

Mayor Keebler advised he discussed the issue with the City Manager who had concerns about this waiver because of the number of requests the City received for use of the Parks. Mayor Keebler noted the only waiver Council had granted was for the Thursday Night Music Festival. Mayor Keebler noted waiving the fee would be a loss of income to the City or a cost for staff to the City. Mayor Keebler advised there were many community organizations that used the Parks and inquired if Council approved this request where would it stop?

Mr. Harman inquired if any vendors were participating in the event. Ms. Klein advised the Police Department, Fire Department, Hueston Woods and service organizations were participating.

Mr. Bogard stated to be consistent he would agree with the City Manager. Mr. Bogard noted he felt the fee schedule needed to be followed.

Mayor Keebler suggested that Ms. Klein work with the Community Foundation to obtain a grant to assist with this event in the future.

Mr. Harman noted community members had assisted with the State to State event. Mr. Harman noted his hope there would be enough publicity to garner a benefactor who would be happy to pay the fees for this event.

ANNOUNCEMENTS

Mr. Kyger advised the public meeting regarding the re-routing of US-27 would be rescheduled for March and as soon as the date was confirmed it would be posted on the City's website and placed in the newspaper.

Mr. Kyger noted Mr. Elliott sent Council a memo regarding changes in funding for some of the Northwest Butler County transportation projects. Mr. Kyger advised Mr. Elliott planned to meet with representatives from Butler County and Milford Township to discuss the issues.

Mr. Kyger advised he met with Front Street Analytics and that the marketing demographic process was underway.

Mr. McKeehan encouraged everyone to enjoy the fair weather while it lasted.

Mr. Bogard thanked Mr. Dreisbach and the Service Department for their clean-up efforts after the recent ice storm.

Mr. Bogard asked Mr. McHugh to provide Council with information regarding Internet Cafés and the issues other cities were facing regarding them. Mr. Bogard noted Council would like to see legislation other municipalities may be considering regarding internet cafés.

Mayor Keebler noted Internet Cafés were internet gaming operations.

Mr. Harman advised Council received the quarterly Event Economic Impact Report and noted there was a \$300,000 increase from the past year. Mr. Harman advised a business owner asked him what Miami University was doing to bring in more business. Mr. Harman noted the report indicated that the Miami University Family Weekend brought in over \$500,000 and two football games brought in over \$600,000 of economic value to the community.

Mr. Blackburn noted Miami University was shortening the downtime for maintenance at Goggin next year and adding other programs which would allow more people to visit Oxford over the summer months. Mr. Blackburn noted Miami University was trying as hard as the Visitors and Convention Bureau to bring visitors to Oxford.

Mr. Blackburn thanked Mr. Dreisbach for the street clean-up efforts noting his crew did a great job.

Mayor Keebler reminded Council of the follow-up session with the Wilks Scholars group on Conservation Development which would take place on Monday, February 28, 2011 at 6:00 p.m. at the Shriver Center. Mayor Keebler noted Council should RSVP to Mr. Rubenstein or Prue Dana.

Mr. Rutherford referred to the Work Session with the Planning Commission last week and noted he was extremely proud of the work done by the Planning Commission and staff on subdivision regulations. Mr. Rutherford noted he was very pleased and proud of the Environmental Commission and how the Planning Commission received their work and implemented it. Mr. Rutherford advised he appreciated the hard work being done by those bodies.

Mayor Keebler advised the Joint Work Session was very good and everyone would be pleased when the subdivision regulations were finished.

Mayor Keebler wished Mr. Elliott a speedy recovery.

ADJOURNMENT

Mr. Bogard moved to adjourn at 8:15 p.m. Mr. Rutherford seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: March 1, 2011

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 22, 2011

Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 1, 2011 starting at 5:00 P.M. to Saturday, April 2, 2011 at 3:00 a.m. at Millett Hall (outside and concourse) on Miami's Campus for the American Cancer Society Relay for Life.

Recommendation: N/A

Discussion:

This request is for the American Cancer Society Relay for Life which is to raise money for the American Cancer Society. The walk will take place at Millett Hall this year instead of Cook Field. For the last several years Council has approved the Noise Abatement for this event.

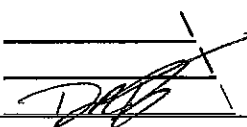
Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

 2/25/11

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, APRIL 1, 2011 STARTING AT 5:00 P.M. TO SATURDAY, APRIL 2, 2011 AT 3:00 A.M. AT MILLETT HALL (OUTSIDE AND CONCOURSE) ON MIAMI'S CAMPUS FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: The City Manager and Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the American Cancer Society Relay for Life on Friday, April 1, 2011 starting at 5:00 p.m. to Saturday, April 2, 2011 at 3:00 a.m. at Millett Hall (outside and concourse) on Miami's campus in accordance with the provision in the Noise Ordinance No. 2550, Section 509.11 Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a community event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the American Cancer Society Relay for Life on Friday, April 1, 2011 starting at 5:00 p.m. to Saturday, April 2, 2011 at 3:00 a.m. at Millett Hall (outside and concourse) on Miami's Campus.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



To: City Council

From: Student Community Relations Commission

Re: Spring 2011 Noise Abatement Requests

Date: February 18, 2011

Two noise abatement requests were submitted to SCRC for activities this spring. These are the same events that have been approved for abatements in past years. The location for the Relay for Life has been changed from Cook Field to Millett Hall.

1. Friday, April 1—Saturday, April 2
Relay for Life *3:00 am*
~~5 pm – 12 noon~~
Location: Millett Hall (outside and concourse)
2010: 4/9/10 6 pm – 3 am
2009: 4/3/09 6 pm – 3 am
2008: 4/4/08 6 pm – 3 am

2. Friday, April 15
After Dark Spring Marquee 10 pm – 1 am
Location: Shriver Back Patio
2010 4/23/10 10 pm – 2 am
2009: 4/30/09 8 pm – 10:30 pm
2008: 4/25/08 10 pm – 1 am

Relay for Life additional comments:

We have decided to change our event from Cook Field to Millett with the belief it will greatly improve the overall Relay for Life experience. Cook Field was much too large and everyone was too spread out. At Millett, the track will be from the front doors of the building down the front sidewalks to the flagpole and back. This is a smaller track and will create a more intimate and unified experience. We will also have access to the inside concourse which we will use for our survivor reception and we may use the concourse in case of bad weather. Having access to the restrooms and a locked room will ease the comfort of participants and allow us to count our money in a closed location. Overall, we hope Millett will be a much better location for our event.

There will be a stage up by the doors and similar entertainment as existed in the past will include bands, singers, and DJ playing recorded music. We will tone down the loudness of the sound with the later hours of the night, carefully scheduling the louder groups into timeframes to produce the least disturbance to residents near Millett. The music will be up again in the morning so participants will end the event together.

We will be notifying all surrounding dorms, fraternities and residences of the event and inviting their participation.

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

EVENT INFORMATION:

DATE REQUESTED FOR NOISE ABATEMENT : Fri April 1 - Sat April 2

FROM: 5:00^{a.m.}p.m. TO: 12:00^{a.m.}p.m. noon

ACTIVITY/EVENT TO BE UNDERTAKEN:

Miami University Relay For Life

LOCATION (attach copies of paperwork showing approval to use site):

Millett Hall (outside + concourse)

NUMBER OF PEOPLE EXPECTED TO ATTEND: 500

OPEN TO PUBLIC

YES

NO

ALCOHOL AVAILABLE

YES

NO

TYPE OF SOUND EQUIPMENT TO BE USED:

Speakers

SOUND MONITORING PLANS (including person in charge of this process):

Staff Partner from American Cancer Society on duty + committee members

APPLICANT ORGANIZATION INFORMATION:

NAME OF ORGANIZATION: On Campus for Cancer Awareness

ADDRESS: _____

Is this a registered student organization at Miami University? yes

INDIVIDUAL INFORMATION (RESPONSIBLE PARTY, MUST BE OVER 18 yrs.):

NAME OF CONTACT PERSON: Emma Moody

ADDRESS: 317 N University Ave TEL. #: (513) 833-5844

What is the contact person's relation to the organization (title, etc.)?

Co-chair of organization

**ATTACH EXTRA PAGES IF THE SPACE PROVIDED ABOVE IS INSUFFICIENT
AND ATTACH ANY SUPPLEMENTAL DOCUMENTATION THAT MAY BE OF
RELEVANCE.**

I have read and understand the rules, conditions and laws applicable to the waiver of the noise ordinances, and understand that acceptance of them is a condition of approval. I hereby certify that the event/activity, which is the subject of this application will be open to the public and alcohol free.

Applicant's signature Emma L Moody Date: 2/17/11

Exceptions to City Noise Restrictions - Noise Abatements
GENERAL INFORMATION

The City of Oxford, in conjunction with Miami University, has determined that the best interests of the public can be served by granting a limited number of exceptions to the City's noise restriction ordinances to allow for certain events to be held in the community. City Code Sections 509.09, 509.10, 509.11, 509.12 and 509.99, which establish and govern noise restrictions in the City, are attached to this General Information Sheet for reference. Exceptions to the City's noise restrictions are commonly called noise abatements.

Noise abatements are generally needed only for events extending in the hours of:

- 11:00 p.m. - 7 a.m., Sunday through Thursday
- 12:00 a.m. - 7 a.m., Friday and Saturday

Noise abatements will only be granted for events which are (1) open to the general public and (2) alcohol free.

Noise abatement application forms are available from the City. Fully completed application forms will be reviewed by the Student Community Relations Committee (SCRC). Please note, incomplete forms will not be processed. The City Manager may grant a waiver to an applicant, allowing such noise abatement application to be considered by City Council without the review of SCRC, when the City Manager deems such waiver to be necessary.

The SCRC will review noise abatement applications three times a year. The SCRC will review applications and submit comments on such applications to City Council within 30 days from the date of the event. City Council will either approve or deny the noise abatement application.

Organizers of events granted noise abatements are required to become aware of the potential adverse effects that may result from unnecessary noise and must schedule a meeting with a representative from the City. This meeting will allow for a full explanation of the requirements to be fulfilled once the abatement has been granted. Procedures to monitor the sound levels of the event, complaint procedures, and event notification procedures will be determined at this meeting.

For questions pertaining to noise abatements, contact the City of Oxford at 524-5201 or the Office of Student Activities at 529-2268.