A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, February 17, 2015 at 7:00 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith and Edna Southard. Steve Snyder was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; 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) 1 and 3 for the purpose of discussing appointments to Boards and Commissions and pending litigation. Ms. Rousmaniere seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Southard moved to return from Executive Session at 7:30 p.m. Mr. Smith seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Rousmaniere moved to approve the agenda. Mr. Smith seconded. Mr. Keebler moved to amend the agenda by adding Resolution number 3 authorizing the settlement of Butler County Common Pleas Case No. CV 2013 07 1968. Mr. Smith seconded. The motion passed 6-0-0. The agenda was approved as amended by a vote of 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION 'AFRICAN AMERICAN READ-IN DAY'

Mayor McKeehan read the Proclamation and presented it to Ms. Jenny Presnell.

Ms. Jenny Presnell, noted she was in attendance on behalf of the Miami University Libraries and the Howe Center for Writing Excellence and thanked Council for the Proclamation. Ms. Presnell invited everyone to attend the African American Read-In on Thursday and learn about African American culture and celebrate African American writers. Ms. Presnell noted her hope to see Council members at the event.

**APPOINTMENTS TO
BOARDS AND COMMISSIONS**

Mr. Keebler moved to appoint Dr. Molly Emmert to the Butler County Board of Health for a three year term beginning March 1, 2015 and ending March 1, 2018. Mr. Blackburn seconded. The motion passed 6-0-0.

**NOTICE TO
LEGISLATIVE AUTHORITY**

Transfer permit from Fiesta Charra Inc. 25 W. High Street 1st Floor only Oxford, Ohio 45056 to Fiesta Charra Mexican Restaurant Inc. DBA Fiesta Charra Mexican Restaurant 25 W. High Street 1st Floor only Oxford, Ohio 45056.

Mr. Kyger noted Fiesta Charra changed ownership effective December 31, 2014 and the liquor permits would be transferred to the new owners. Mr. Kyger advised with the D5I permit only 25% of the restaurant's sales could be for the purchase of alcohol.

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

PUBLIC COMMENTS

Mr. Kevin Krumpack, 307 N. Bishop Street, updated Council with regard to the Green Beer Day Forum which would take place on March 12, 2015 at 6:30 p.m. at the Armstrong Student Center Pavilion C. Mr. Krumpack noted Miami's Associated Student Government would co-host the event with the Cliff Office of Fraternity and Sorority Life and invited Council members and members of the community to attend the event and participate in the dialog.

Mr. David Brown, Butler County Auditor's Office, noted the Homestead Exemption period was open until June 1st and advised new this year was an opportunity for disabled veterans to get a double benefit through the Homestead program. Mr. Brown noted the Auditor's Office appreciated the State Legislature making that change for veterans. Mr. Brown advised the regular homestead exemption shielded $25,000 of the home's value and the disability benefit for veterans would prevent taxation on the first $50,000 of the home's value. Mr. Brown noted the Auditor's Office wanted to partner with local governments to share that information.

Mr. Brown advised the 2014 reappraisal numbers were in and overall property value in the City of Oxford decreased 1% or about $3,000,000 in total dollars. Mr. Brown noted residential property decreased 4% and commercial values increased. Mr. Brown advised the Board of Revision period was open until March 31st for those who felt their home was under valued or over valued based on the Auditor's findings.

Mr. Brown noted additional information and resources were available at butlercountyauditor.org or he could be reached at 887-3159.

Mr. Blackburn suggested the information regarding the veteran's benefit be placed on the City's website.

CONSENT AGENDA

MINUTES

Minutes of the February 3, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the February 4, 2015 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION AGRICULTURAL TAX DISTRICT

A Resolution No. 4893 by Oxford City Council authorizing the continued placement of 67.3760 acres of land owned by EVR Investments, L.L.C. in an agricultural tax district, said property address being 4160 Oxford Reily Rd., Oxford, Oh. 45056 (Parcel No. H4100-132-000-001) in accordance with O.R.C. Chapter 929, The Farmland Preservation Act. (Doug Elliott, City Manager)

Mr. Elliott advised an agricultural tax district provided protection against nuisance suits over farm operations, deferment of tax assessments on land to build sewer and water lines and allowed for additional review if land was taken by eminent domain for a public purpose. Mr. Elliott noted the land in question was owned by EVR Investments and it was an L shaped parcel as shown on the map on page 28 of the agenda which wrapped around the Talawanda Middle School property. Mr. Elliott advised the proposed Resolution was a 5 year extension of the agricultural tax district.

Mayor McKeehan noted this district had been in place for a number of years and Mr. Elliott advised yes, and this was the second extension. Ms. Rousmaniere inquired if there was a limit on the number of extensions and Mr. Elliott advised no, but legislative action was required every 5 years. Mr. Keebler noted the land was clearly being used for agricultural purposes.

Mayor McKeehan inquired if the applicant or if anyone from the public had any comments and there were none.

Mr. Blackburn moved to adopt Resolution No. 4893. Mr. Keebler seconded. The motion passed 6-0-0.

RESOLUTION
ELECTRIC SUPPLIER

A Resolution No. 4894 authorizing the City Manager to enter into an agreement with American Electric Power (AEP) for the procurement of electricity generation for the City of Oxford's Electric Aggregation Program for a period of thirty six (36) months. (Doug Elliott, City Manager)

Mr. Elliott advised Eagle Energy on behalf of the City solicited proposals from 14 Certified Residential Electric suppliers and 3 companies responded to the RFP. Mr. Elliott noted a summary of the pricing proposals was provided to Council. Mr. Elliott advised he and Eagle Energy were recommending that the City move forward with the American Electric Power (AEP) proposal for a three year agreement. Mr. Elliott noted the offer letter to eligible customers would be structured so the primary offer for the Electric Aggregation Program would be for 100% renewable energy at $0.05685 per kWh for three years unless the customer opts out. Mr. Elliott advised the letter would also include an opt in option for 0% renewable energy at $0.05631 per kWh. Mr. Elliott noted the savings to an electric consumer using 9,000 kWh per year was $38.25 for 100% renewable energy and $43.11 for 0% renewable energy compared to the present Duke standard service offer of $0.0611 per kWh. Mr. Elliott advised the prices were constantly changing and the price for Oxford residents could be slightly higher or lower than what was reported this evening. Mr. Elliott thanked representatives from Eagle Energy for their assistance and noted he was anxious to move forward with the program. Mr. Elliott stated that he or representatives from Eagle Energy would answer any questions from Council or from the public.

Mr. Vincent Hand, 511 E. Chestnut Street, thanked City staff, Eagle Energy and Council for their speed and accuracy in moving forward with the aggregation program. Mr. Hand noted he felt it was a good deal and he was pleased to see renewable energy as the default choice. Mr. Hand advised he suspected the Environmental Commission would be pleased as well.

Mr. Blackburn noted he felt the City was fortunate to receive renewable energy at such a low rate. Mr. Keebler referred to page 33 of the agenda and advised the rate was approximately three thousandths of a cent over the City of Cincinnati's rate and less than the other local entities listed. Mr. Keebler reminded anyone concerned with the three year agreement that they could opt out at anytime and find their own supplier. Mr. Keebler noted he was pleased to see 100% renewable energy as the primary option and the three year agreement. Mr. McHugh advised the contract would be 'tweaked' somewhat but nothing would affect the deal or the rate. Ms. Rousmaniere noted she felt this had been a great process from Mr. Elliott recommending the program to getting it on the ballot. Ms. Rousmaniere advised the Oxford League of Women Voters held two forums on the topic, one in 2012, and again in 2014, and a number of citizens attended the two public hearings held by Council. Ms. Rousmaniere noted Eagle Energy had been great to work with and now the City had great pricing. Ms. Southard echoed Ms. Rousmaniere's comments and noted she was pleased that everyone worked together to make it happen.

Mayor McKeehan advised this had been an educational process for many people in the community and thanked Eagle Energy for their assistance noting they did a great job.

Ms. Rousmaniere moved to adopt Resolution No. 4894. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
SETTLEMENT

A Resolution No. 4895 authorizing the settlement of Butler County Common Pleas Case CV 2013 07 1968 with defendants Hunter Heck, Hayley Heck and Steven Heck and authorizing the City Manager to take all steps necessary to resolve this case. (Doug Elliott, City Manager)

Mr. McHugh advised this matter was filed by Hunter Heck and his family and it involved an accident with an officer in a police car driving and the injuries were very serious. Mr. McHugh noted the matter was in the Common Pleas Court and then the Court of Appeals 12th District which was one of 6 Court of Appeals in the State of Ohio which involved a new mediation program. Mr. McHugh advised there were two sessions of mediation and as a result of the second session this afternoon the parties reached an agreement which was spelled out in the Resolution. Mr. McHugh noted this would resolve all of the issues and the officer would be dismissed out of the law suit.

Mr. Keebler noted since this item was not published in the agenda, Mr. McHugh should indicate the amount of the settlement. Mr. McHugh advised the amount of the settlement was 1.1 million dollars. Mr. McHugh advised the police vehicle struck the pedestrian (Hunter Heck) and the suit was brought on behalf of Hunter Heck and his mother and father who were the three plaintiffs in this action. Mr. McHugh added he felt the terms were reasonable and fair under the circumstances as Mr. Heck was permanently in a wheelchair and it was a tragic situation. Mr. Keebler noted this incident was covered by the City's liability insurance. Mayor McKeehan agreed it was a sad and tragic event.

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

Mr. Keebler moved to adopt Resolution No. 4895. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
PLANNED DEVELOPMENT

An Ordinance No. 3304 Approving The Preliminary And Final Plan For A Major Change To An Approved Planned Development At Bishop Square Located On South Locust Street With Conditions And Amending Ordinance No. 3221. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the request was for the commercial portion of the former Wal-Mart redevelopment project. Mr. Chen noted currently there were two commercial lots and the request was to increase that to four so each commercial building would have its own lot.

Mr. Robert Fiorita, Applicant, advised the request stemmed from being able to obtain financing for the buildings and he was asking Council to help facilitate that.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none. Mayor McKeehan noted the issue was discussed at length during the first reading.

Ms. Rousmaniere moved to adopt Ordinance No. 3304. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
ANNEXATION

An Ordinance No. 3305 Authorizing The Annexation Of 0.338 Acres Of Contiguous Territory And Directing The Law Director To Prosecute The Proceedings Necessary To Effect Said Annexation. (Doug Elliott, City Manager)

Mr. Elliott advised the property was located at 4134 Millville Oxford Road across from University Park Boulevard and it was purchased by the City as part of the US 27 S improvement project. Mr. Elliott noted this was an annexation by petition of the municipality since it was contiguous to the City and owned by the City. Mr. Elliott recommended that Council adopt the Ordinance so the City could move forward with the annexation.

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

Mr. Blackburn moved to adopt Ordinance No. 3305. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3306 Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)

Mr. Newlin advised the only change from the first reading of the proposed Ordinance was an increase of revenue in the fund due to interest distribution of $0.01.

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

Ms. Rousmaniere moved to adopt Ordinance No. 3306. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott referred to the settlement Resolution Council adopted this evening and noted the incident occurred Saturday, October 6, 2012 at 12:45 a.m. Mr. Elliott advised a Police Officer was responding to a call as two individuals approached the intersection of College Avenue and Spring Street where one recognized the green light for the officer and stopped but the other stepped into the intersection and was struck. Mr. Elliott noted he wanted to provide some background information since it had been some time since the accident occurred. Mr. Elliott advised it had been a difficult process for the City and the outcome was tragic but the City was happy to get the case resolved.

Mr. Elliott thanked the Oxford League of Women Voters who encouraged the City to move forward with an aggregation program. Mr., Elliott thanked Council for their support of the program as well as the citizens who participated in the process. Mr. Elliott also thanked Eagle Energy for their assistance.

Mr. Kyger noted he was pleased to see from Mr. Brown's report that commercial property values increased in Oxford for the 2014 reappraisal.

Ms. Rousmaniere advised the Planning Commission met last week and they would like to proposed a Joint Work Session with Council to discuss two long range plans. Ms. Rousmaniere noted one was a possible update of the Comprehensive Plan to address development pressures on the City's fringe and the other one involved affordable/moderate housing needs in Oxford and how to diversify the kinds of housing coming into the City.

Mr. Blackburn thanked Mr. Dreisbach and his staff for keeping the streets clean after the snow events over the past few days.

Mayor McKeehan noted it was going to be extremely cold the next few days and encouraged everyone to watch out for their neighbors and for their pets.

ADJOURN

Mr. Blackburn moved to adjourn at 8:11 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.