A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, February 16, 2010 at 7:00 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn and Kevin McKeehan. John Harman arrived at 7:05 p.m.

Staff members present: Mr. Mike Dreisbach, Acting City Manager; Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing 1. Appointments to Boards and Commissions 3. Pending court action and 4. Collective Bargaining. Ms. Currie seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Bogard moved to return from Executive session at 7:35 p.m. Mr. Rutherford seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

**APPOINTMENTS
TO BOARDS AND COMMISSIONS**

Mr. Rutherford moved to appoint Mr. Vincent Hand to the Environmental Commission to fill an unexpired term until June 30, 2010. Mr. Bogard seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Prue Dana, thanked Mayor Keebler and Members of Council for the opportunity to address them with regard to the Lane Library Levy which would appear on the May 4, 2010 ballot. Ms. Dana advised she and her husband were Chairs of the Oxford effort and campaign for the Lane Library System which included Ross, Fairfield and Hamilton. Ms. Dana noted her hope Council would consider a Resolution at their next meeting in support of the proposed .75 mil Levy which would result in Oxford area property owners paying approximately $22.00 per year. Ms. Dana advised libraries in Ohio were supported by the State and due to budget cuts had seen a 20% decrease in funding since 2005. Ms. Dana noted library hours were reduced from 69 per week to 44 per week and their staff had been reduced by one third. Ms. Dana advised the proposed levy would protect the services the library currently offered which also included CDs, DVDs and internet access in addition to books.

Ms. Rebecca Smith, 291 Dana Drive, Manager, Oxford Branch of the Lane Library, noted Lane Libraries were located in Hamilton, Oxford and Fairfield and a Bookmobile served the schools and rural areas. Ms. Smith advised from 2000 to 2009 the system experienced a 54.6% increase in circulation, a 35.7% increase in Story-Time participation and a 31.7% increase in card holders. Ms. Smith noted in 2009 her staff in Oxford answered 25,000 reference questions, patrons logged approximately 22,000 hours on the internet and over 3,300 patrons were served each week. Ms. Smith advised the Oxford branch of the Lane Library was more of a community center than ever before and they partnered with the Community Arts Center, Miami University and the Talawanda Schools for events such as the Big Read and the African American Read-In. Ms. Smith noted her hope everyone would agree that the Oxford branch of the Lane Library helped to enrich the community.

Ms. Dana encouraged interested parties to visit www.yesforourlibraries.com for additional information.

Mr. Paul Levitt, 114 ½ Rear W. Central Avenue, noted he was a junior at Miami University and the chief organizer of the 'Rockin for Relief' charity event. Mr. Levitt addressed Council with regard to a Noise Abatement request during the event on April 24, 2010 on the pavilion in the Oxford Memorial Park.

Mayor Keebler advised Mr. Levitt that Council would consider the request at the end of the meeting.

Ms. Kathleen Zien, 6060 Joseph Drive, noted before the last meeting she asked Mr. Blackburn if a Councilor's name was on the bottom of a Resolution or Ordinance did it mean they favored the legislation and Mr. Blackburn advised yes. Ms. Zien advised she specifically asked about the Porsches2Oxford Beer and Brats event since Mr. Blackburn's name was on the Resolution and he indicated he sponsored the legislation as the Chamber of Commerce supported the event. Ms. Zien advised the Lions Club was co-sponsor of the Porsches2Oxford Beer and Brats event and four members of Council were members of the Lions Club. Ms. Zien noted any sponsoring organization even a not-for-profit stood to benefit from an association with Porsches2Oxford event. Ms. Zien noted voting for any event as co-sponsor was a conflict of interest since four Councilors overlapped with Lions membership and perhaps they should have recused themselves from the discussion and vote. Ms. Zien noted if four members of Council recused themselves from this discussion the vote would have been 2-1-0 and inquired if that vote would have been valid since a quorum was not present for the vote. Ms. Zien noted in the interest of full disclosure and strict ethics Council should be made fully aware of how to deal with conflicts of interest.

Ms. Zien advised she and many from her neighborhood were relieved that the Planning Commission denied a request for spot rezoning of a residential home on Contreras Road for office use. Ms. Zien noted spot rezoning to increase one person's property value was not the responsibility of the Planning Commission or Council but it was their joint responsibility not to decrease adjoining property values by their decisions. Ms. Zien encouraged Council to read the 11 page letter to the Planning Commission from Mr. Stuart Meck which was included in the March 9, 2010 Planning Commission agenda. Ms. Zien noted the letter contained a remarkable amount of research and it was significant enough to ensure the Planning Commission did the right thing. Ms. Zien noted the letter should also be a deterrent to any Councilor who may consider over-riding the Planning Commission's decision. Ms. Zien noted the Planning Commission was thorough in their line by line review of the decision standards regarding this request.

Mr. David Brown, 130 High Street, Hamilton, Ohio, addressed Council on behalf of Roger Reynolds, Butler County Auditor. Mr. Brown advised the Auditor's Office created a new outreach program and he and others from his office would visit various townships and municipalities on a regular basis to keep citizens informed and answer questions related to the Auditor's Office. Mr. Brown advised 5:00 p.m. on March 31, 2010 was the deadline for filing appeals with the Board of Review regarding 2009 taxable property values. Mr. Brown advised he could be reached at 887-3159 to help answer any questions and he would be available after the meeting tonight as well.

Mayor Keebler advised Council appreciated Mr. Brown's efforts in keeping the citizens informed and hoped the outreach program would continue.

CONSENT AGENDA

Mayor Keebler requested removal of item E. Resolution.

MI NUTES

Minutes of the March 2, 2010 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the February 24, 2010 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the February 24, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the February 25, 2010 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

**RESOLUTION
PROPERTY & CASUALTY
INSURANCE**

A Resolution No. 4522 accepting the insurance renewal of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty coverage for 2010. (Joe Newlin, finance Director)

Ms. Currie moved to approve the Consent Agenda. Mr. Rutherford seconded. The motion passed 7-0-0.

**RESOLUTION
COST SHARING
AGREEMENT**

A Resolution No. 4523 authorizing the City Manager to enter into a cost sharing agreement with the Butler County Emergency Management Agency for the use and maintenance of the Butler County Emergency Notification System ("The Communicator") at a cost not to exceed $2,640.00. (John Detherage, Fire Chief)

Chief Detherage advised the proposed agreement was for Oxford's portion of the cost for maintenance of the emergency notification system.

Mayor Keebler inquired why the costs weren't divided on a per-capita basis and Chief Detherage advised the EMA Executive Committee made the decision and Oxford had a representative on the committee.

Ms. Currie requested a brief description of the 'Communicator'.

Chief Detherage advised it was a 'Reverse 911' System which could notify residents in any geographical area of an emergency.

Ms. Currie moved to adopt Resolution No. 4523. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

CONTRACT FOR NON-SWORN CLASSIFIED POLICE DEPARTMENT EMPLOYEES

A Resolution No. 4524 approving the contract between the City of Oxford, Ohio and the Non-Sworn Classified Police Department Employees Fraternal Order of Police, Lodge 164 and authorizing the City Manager and City Law Director to sign the contract on behalf of the City. (Steve Schwein, Police Chief)

Mr. McHugh advised the proposed contract would be effective from January 1, 2010 through December 31, 2012. Mr. McHugh noted there would be no wage increases for 2010 unless the non-union employees were provided one at some point this year. Mr. McHugh advised the contract would be re-opened on September 1, 2010 to discuss wages for 2011 and 2010. Mr. McHugh noted other changes that were made to mirror what other employees received in regard to benefits. Mr. McHugh thanked the bargaining team, Chief Schwein and Ms. Heck for their efforts in negotiating the proposed contract noting the employees of the union deserved credit for accepting a zero wage increase for this year and recognized the City's financial situation and the fact that other employees did not receive a wage increase for 2010.

Mayor Keebler advised he felt the contract appeared to be good and fair and noted he appreciated the employees not going for a wage increase for this year which was important in meeting the City's budget.

Mr. Blackburn moved to adopt Resolution No. 4524. Mr. McKeehan seconded. The motion passed 7-0-0.

ORDINANCES FIRST READING

ORDINANCE ANNEXATION

An Ordinance Accepting The Annexation Petition From The City Of Oxford, Butler County, Ohio For 0.559 Acres Of Land In The Township Of Oxford, Butler County, Ohio And Accepting Said Territory To Be Annexed. (Mike Dreisbach, Service Director)

Mr. Dreisbach discussed the staff report as presented on page 29 of the agenda noting the City supported the construction of a traffic control signal at the intersection of US-27 and Southpointe Parkway and in order for the City to operate it and maintain it the property needed to be annexed into the City.

Mayor Keebler advised this was acceptance of the annexation Council adopted as a Resolution and it had been approved by the County and now Council needed to accept the annexation.

Mr. Bogard inquired if a stop light would be installed at the intersection of University Park Boulevard and US-27 and Mr. Dreisbach advised yes.

ORDINANCES
SECOND READING

ORDINANCE
FINAL SUBDIVISION
APPLICATION

An Ordinance No. 3107 Approving The Final Subdivision Application For Reckford Woods Subdivision, Phase Two With One Condition. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information regarding the second reading of the proposed Ordinance.

Mayor Keebler noted the proposed Ordinance was not about Habitat for Humanity it was about whether or not the final subdivision application matched the preliminary subdivision application and the Planning Commission and Council had reviewed the applications and found them to meet all of the requirements to allow for the building of the subdivision in the City of Oxford.

Ms. Currie moved to adopt Ordinance No. 3107. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS AND COMMUNICATIONS

Mayor Keebler noted a request had been made earlier this evening for a Resolution in support of the Lane Library levy. Ms. Currie advised she would sponsor the proposed legislation.

Mayor Keebler noted a request had also been made earlier this evening for a noise abatement.

Ms. Currie noted the event was approved for 24 hours and the noise abatement was from midnight until 2:00 a.m.

Chief Schwein advised it would be very difficult to comply with the Noise Ordinance during the proposed event without a noise abatement. Chief Schwein advised he had met with Mr. Levitt and this was a noble cause but noise tended to travel.

Mr. Levitt advised the music could be turned down after 2:00 a.m. and asked Chief Schwein to have a member of the Police Department bring a noise meter to the event and they could set the music level not to exceed 55 decibels. Chief Schwein agreed that could be done as a guide for the noise level.

Mr. Dreisbach noted there was a much higher residential population in the Uptown area than ever before and he could foresee some complaints resulting from the event.

Ms. Currie moved to approve the Noise Abatement request. Mr. Blackburn seconded. The motion passed 6-1-0 with Mr. Bogard voting nay.

Mayor Keebler requested that Mr. McHugh address the comments from Ms. Zien regarding conflict of interest and meeting procedures. Mr. McHugh advised the Lions Club was a service organization and no one was getting a benefit. Mayor Keebler advised he spoke to Mr. McHugh prior to the 'Beer and Brats' Resolution coming to Council. Mr. McHugh noted he spoke in detail to each member of Council who were Lions Club members.

Mr. Dreisbach advised he was happy to report that ODOT opened bids for Phase III of the improvements to US-27 North and the project should come to fruition within a year or so. Mr. Dreisbach thanked business owners along High Street for their efforts in cleaning the sidewalks after the winter snows.

Mr. Chen encouraged everyone to fill out their Census questionnaires and mail them back. Mr. Chen thanked the Service Department for their assistance in hanging the Census banner across High Street. Mr. Chen thanked Miami University for their efforts to ensure students participated in the Census.

Ms. Brahier reminded everyone of the Easter egg hunt on April 1, 2010 at the Tri field at 9:30 p.m. for children in 4th through 8th grades and on April 3, 2010 at the Community Park at 11:00 a.m.

Mr. Kyger advised he received a message from Mr. Elliott that his knee surgery was complete and he was back in his hospital room.

Mr. Kyger noted the Western Knolls Request for Proposals was published. Mr. Kyger noted the Chamber of Commerce sent out a survey regarding Uptown Parking as a way to get feedback from the Uptown business owners and merchants.

Mr. McKeehan noted he was happy to see the spring weather and lots of people out and about. Mr. McKeehan wished everyone a Happy St. Patrick's Day tomorrow.

Mr. Rutherford advised he felt it was unfortunate that Cox Publishing decided Green Beer Day and public drunkenness should be celebrated right alongside of Martin Luther King Day. Mr. Rutherford noted his hope the Oxford Press would consider some editorial comments with regard to the fact that public drunkenness was not acceptable behavior. Mr. Rutherford advised on February 25, 2010 the Oxford Police Department received 58 calls for service and issued 2 citations and a week later on Green Beer Day they received 168 calls for service and issued 44 citations.

Mr. Bogard referred to a memo Council received from Mr. Chen regarding sidewalk permits and inquired if Mr. Chen wanted Council's direction tonight or at a later date. Mr. Chen advised at a later date as he wanted input from the City Manager as well. Mr. Bogard wished Mr. Elliott a speedy recovery.

Ms. Currie noted her hope everyone would participate in the 2010 Census. Ms. Currie reminded everyone the next Bicentennial event was the Kinetic Bike Sculpture Race on April 24, 2010 and additional information was available on the City's website.

Mr. Blackburn wished the Miami Hockey Team well and noted they would most likely go to the NCAA.

Mayor Keebler advised a brochure was included in the Oxford Press last week regarding the need for volunteer Firefighters and EMTs in the City of Oxford. Mayor Keebler advised additional staff had been added to the Fire Department but only three people per shift and the City would always need a strong group of volunteers. Mayor Keebler noted volunteers were paid a fair wage for their service and there was some difficult training that had to be obtained prior to serving on the Fire Department. Mayor Keebler encouraged those interested to see the City's website or stop by the Fire Station for additional information.

ADJOURNMENT

Ms. Currie moved to adjourn at 8:31 p.m. Mr. Rutherford seconded. The motion passed 7-0-0.