

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, March 5, 2013 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan and Kate Rousmaniere. John Harman and Steve Snyder were 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; 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.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. McKeehan seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

RECOGNITION

RETIRED POLICE LIEUTENANT DAN UMBSTEAD

Chief Holzworth advised it was his pleasure to acknowledge a good friend, a retiring Police Officer and a loyal civil servant. Chief Holzworth noted Dan started his employment with the Oxford Police Department in 1981 when he himself was a Lieutenant and he was not the least bit surprised when Dan exceeded and excelled at his chosen occupation. Chief Holzworth advised Dan was a mentor for young police officers, an inquisitive investigator, a musician, an artist and a wonderful cook. Chief Holzworth noted the entire Police Division would miss Dan who left a large footprint on the organization that would not soon if ever be forgotten. Chief Holzworth noted Dan was quick with a smile, had a wonderful sense of humor and was a true motivational leader. Chief Holzworth advised Dan enjoyed a stellar career with the OPD as a Patrol Officer in 1981, a Patrol Sergeant in 1986 and as a Police Lieutenant in 1996. Chief Holzworth noted Dan was the heart behind the Butler County Chief's of Police Law Camp for 15 years and inspired hundreds of young campers. Chief Holzworth advised Dan was instrumental in forming OPD's Blue Uniform Support Team (BUST) which was a precursor to the Special Response Team (SRT) which was the precursor to OPD joining the Butler County SWAT Team. Chief Holzworth noted Dan was the Commander of the Investigations Unit for OPD and did a marvelous job following up on an untold number of cases for victims. Chief Holzworth advised he had no doubt that Dan would be extremely successful in his new career and presented him with a retired ID card. Chief Holzworth introduced Mr. Brian Robinson.

Mr. Brian Robinson, President, FOP Lodge 38, advised he had known Dan for over 18 years and it was a pleasure getting to know him as a mentor and as a friend. Mr. Robinson presented Dan with a Certificate from FOP Lodge 38, a retired member card and a pin from the National FOP.

Ms. Susan Myer, Oxford Police Advisory Board, noted Dan had served the community well and was well known throughout the school system. Ms. Myer noted Dan visited the students, they looked forward to seeing him and he was well respected. Ms. Myer advised Dan developed a nice rapport with the Talawanda community. Ms. Myer presented Dan with a plaque from the citizens of the City of Oxford and congratulated Dan on his retirement.

Chief Holzworth introduced Candice Keller who was now the leader of Law Camp and noted he felt everyone would enjoy what she had to say.

Ms. Candice Keller, Public Safety Communications Officer for the City of Oxford, addressed Lt. Umbstead's involvement with Respect for Law Camp as follows:

"In 1994, Chief Stephan Schwein brought a camp to Oxford and Butler County. This camp, known as Respect for Law Camp, still thrives today and is in its 19th year. His vision for this camp and the youth of our area was put upon the shoulders of 2 men: Tom Horvath and Dan Umbstead. While Tom was the blood, sweat and tears behind the camp, Dan was the heartbeat running through it. Tom put in the magic.....Dan put in the heart and soul.

On that June day in 1994 and for the entire week-end for the next 15 years, Dan became known as the larger than life persona of "Lt. Dan".

Almost 1600 children have gone through Law Camp under the watchful eye of Lt. Dan. The staff seemed as much in awe of Lt. Dan as the campers were. I remember one year I made a point of going out to listen and watch Dan's good bye farewell speech that he would always give to the campers and leaders before graduating. I stood there behind a post and watched and listened. The words were so touching, sincere and heartfelt....because that is the way Lt. Dan was. I was watching the faces of the kids, most of whom were crying. This had always been a very emotional and trying week- end for these kids. They knew they had just been through the biggest challenge of their short lives. Then I looked at the faces of the leaders. That is where I saw the real magic.....these tough officers that had spent the last three days with these campers building relationships were crying also. Dan had a way of making kids and cops believe they were a part of something great. And we all knew right then.... we had done it. We were Law Camp. Proud, crying, tired and emotional beyond belief.

Dan had a way of bringing 150 people to their feet yelling at the top of their lungs "Law Camp" in response to his "Oooorah" or bringing them to silence with a single sentence worded with kindness. Dan created our camp flag that we still use and try to instill in the campers today with the words, "Respect, Teamwork, Leadership, Spirit and Kindness". To see a 6'3" man down on bended knee in front of a child sharing a thought, a promise or even just encouragement made an impact on all who witnessed this brief encounter. But there were many more over the years. Dan never took for granted an opportunity to teach or guide a child.

Because he also taught the leaders and the staff to know we had it within ourselves to tap this same inspiration I believe we all walked away each year a little bit better of a person than we were before. You see, he made us believe we also had some Lt. Dan in us as well.

Dan's legacy is the many campers who graduated under Lt. Dan. Some are now in Law Enforcement. Some are in Fire Service. Some are in the military and some are raising families. They stay in touch. Perhaps camp had a little to do with their walk in life. One thing is for sure. If you were to say to them....."Ooorah" they would answer back and say, "Law Camp"! And they would remember

" Lt. Dan"

Chief Holzworth asked for a round of applause for Lt. Umbstead who then thanked the City of Oxford for allowing him to serve his community for 31 years. Lt. Umbstead approached the dais and shook hands with staff and City Councilors.

PRESENTATION **OXFORD SENIORS**

Ms. Joan Potter-Sommer, Executive Director, Oxford Seniors, 922 Tollgate Drive, thanked the City of Oxford for its continued support of the organization. Ms. Potter-Sommer noted Oxford Seniors was vital to the community, and had supported older adults and their families for 60 years. Ms. Potter-Sommer advised Oxford Seniors was organized in 1953 by nine members and it was called the Golden Years Club for anyone 65 years of age and older. Ms. Potter-Sommer advised its purpose was "To help older persons get better acquainted and to promote activities which would make life more pleasant for them." Ms. Potter-Sommer noted Oxford Seniors had 579 dues paying members in 2012 and dues were \$20/person for adults 50 years of age or older. Ms. Potter-Sommer advised Oxford Seniors was a not-for-profit organization and had a board of 15 members governed by a constitution and bylaws. Ms. Potter-Sommer noted Oxford Seniors budget for fiscal year 2013-2014 was \$385,000. Ms. Potter-Sommer advised Oxford Seniors had three full-time and eight part-time employees. Ms. Potter-Sommer discussed the funding mechanisms utilized by Oxford Seniors and the services they provided. Ms. Potter-Sommer detailed the number and types of services Oxford Seniors provided to Oxford area residents from January through December of 2012. Ms. Potter-Sommer noted Oxford Seniors offered a wide array of social and wellness opportunities including exercise, craft classes, wellness series, trips and travel, bowling, pool, card games and quilting to name a few. Ms. Potter-Sommer advised Oxford Seniors had a partnership with Miami University and the partnership promoted the student led classes and internships at the center and at the adult day service facility. Ms. Potter-Sommer noted Oxford Seniors had over 150 volunteers who helped in program delivery and the organization was very dependent upon the volunteer efforts. Ms. Potter-Sommer advised Oxford Seniors was in urgent need of home delivered meal volunteers and encouraged those interested to contact the center. Ms. Potter-Sommer also noted Oxford Seniors was pursuing and laying a foundation for the Oxford Village Network which was a support system to help older adults age in place in their homes. Ms. Potter-Sommer advised Oxford Seniors was a great place to have fun and find purpose and encouraged residents to spread the word, renew their membership or join today.

Mr. Blackburn asked Ms. Potter-Sommer to mention the center's 'Dinner for a Buck' program on Monday nights. Ms. Potter-Sommer advised the center was open on Mondays until 7:30 p.m. and to encourage people to come in she started a program called 'Supper for a Buck'. Ms. Potter-Sommer noted over three years the program had grown from 10 people to as many as 50 people and many friendships had been developed as a result of people coming to the center to see what was going on.

Ms. Rousmaniere inquired if Ms. Potter-Sommer anticipated losing any federal funding for the Meals on Wheels program in the near future. Ms. Potter-Sommer advised at this point she wasn't sure but she would let Council know. Ms. Potter-Sommer noted some of the dollars for the home delivered meal program came from the Butler County Elderly Services Levy.

Mayor Keebler thanked Ms. Potter-Sommer for making the presentation.

PUBLIC COMMENTS

Mr. Jeff McDonald, Owner, Ace Hardware, noted he played golf with Lt. Umbstead and lost even though Lt. Umbstead was 26 over par.

Mr. McDonald advised he was the recent past Chairman of the Oxford United Way fundraising campaign and they fully funded all of the agencies including Oxford Seniors. Mr. McDonald noted United Way was very proud of the work Ms. Potter-Sommer was doing at Oxford Seniors and advised both of his parents participated and received benefit from Oxford Seniors in the past and it was extraordinary. Mr. McDonald noted Oxford was fortunate to have the facility in the community.

Mr. McDonald asked Council to reconsider allowing the use of 'flutter flags' in the zoning code for businesses to use as part of their advertising strategies much like they were able to use banners for specified periods of time to promote an event or a product.

CONSENT AGENDA

MINUTES

Minutes of the February 19, 2013 City Council Joint Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the February 19, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the February 6, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the February 12, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the February 27, 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4729 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, April 12, 2013 starting at 10:00 p.m. to Saturday, April 13, 2013 at 5:00 a.m. at Millett Hall on Miami's campus for the American Cancer Society's Relay For Life. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTIONS
1141.01, 1141.02 & 1141.04

An Ordinance Repealing Oxford Codified Ordinance Sections 1141.01, Accessory Regulations, 1141.02, Temporary Regulations, And 1141.04, Environmental Regulations, And Adopting New Oxford Codified Ordinance Sections 1141.01, Accessory Regulations, 1141.02, Temporary Regulations, and 1141.04, Environmental Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen advised when Chapter 1141 of the zoning code was overhauled it created conflicting regulations with Chapter 735 and other areas of the Codified Ordinances. Mr. Chen noted it was not Council's intention to limit charitable and community events and the proposed changes on pages 38 and 39 of Council's packet would eliminate inconsistencies. Mr. Chen advised the proposed changes would allow the City Manager's office to review charitable and community events and take them out of the purview of the zoning code.

Mr. Bogard referred to section H. 2. on page 38 of Council's packet ('The Talawanda Farmer's Market authorized by Talawanda School Board on school property') and inquired if that language was necessary since the two Farmer's Markets had merged and there was no longer a Talawanda Farmer's Market. Mr. Bogard noted this question was not related to the proposed changes. Mr. Chen noted when the language was drafted there were two Farmer's Markets. Mr. McHugh advised Council could make a motion to delete item H. 2. if they wished.

Mr. Bogard moved to delete item H. 2. and item H. 3. would now become item H. 2. Ms. Rousmaniere seconded.

Mr. McKeehan inquired if Council really wanted to remove the language in case another Farmer's Market was approved for school property.

Mr. Bogard moved to substitute the motion to read as follows: H. 2. ~~The Talawanda Any~~ Farmer's Market authorized by Talawanda School Board on school Property. Mr. McKeehan seconded. The motion passed 5-0-0.

ORDINANCE
NEW SECTION 1143.10

An Ordinance Repealing Oxford Codified Ordinance Section 1143.10 Entitled Uptown District, And Adopting New Oxford Codified Ordinance Section 1143.10 Entitled Uptown District.
(Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed changes to this Section of the zoning code appeared on page 44 of Council's packet and stipulated that sidewalk uses must be for the same commercial activity as that of the commercial activity on the first floor of the structure.

ORDINANCE
NEW CHAPTER 1137

An Ordinance Repealing Oxford Codified Chapter 1137 Entitled Nonconformities, And Adopting New Oxford Codified Ordinance Chapter 1137 Entitled Nonconformities. (Jung-Han Chen, Community Development Director)

Mr. Chen advised last year, the Planning Commission under the directive from City Council, formed a subcommittee to review the issues related to the redevelopment of large apartment complexes and to review the issues related to nonconformities. Mr. Chen noted when the current regulations were adopted, square footage was the base to determine what set of regulations had to be followed which created some unanticipated consequences. Mr. Chen advised the subcommittee included Planning Commission members, Architect, Scott Webb and Economic Development Director, Alan Kyger and they looked at ways to logically and reasonably define how improvements could be made to existing structures. Mr. Chen noted the proposed amendment broke down the improvements of a structure into three categories: renovation, reconfiguration and reconstruction. Mr. Chen advised any proposed improvement under the category of renovation would not require a reduction from the approved rental occupancy and improvements under reconfigurations would require a 30% reduction from the approved rental occupancy. Mr. Chen noted reconstruction would require full compliance with the underlying zoning district. Mr. Chen advised other recommendations included allowing buildings with nonconforming uses to expand, subject to the underlying regulations with no increase in intensity of the nonconforming use, and also providing leeway for porch additions to buildings with a nonconforming use. Mr. Chen noted the essence of the proposed new Chapter was to streamline any redevelopment that property owners were contemplating and to encourage redevelopment to replace dilapidated buildings and reconstruct safer buildings.

Mr. Scott Webb, noted he did serve on the subcommittee and was happy to do so. Mr. Webb advised he felt the proposed legislation had come a long way and was very good. Mr. Webb noted the idea behind the proposed legislation was to eliminate nonconformities and to promote the health, safety and welfare of the citizens. Mr. Webb advised there had always been a 20% reduction in occupancy in the code and he was concerned that a 30% reduction in occupancy was a dramatic reduction and might discourage improvements to properties.

Mr. Webb noted he looked at two projects recently which brought up something he felt the subcommittee may have reviewed too quickly. Mr. Webb advised there was a zero threshold in the definition for reconfiguration and the expansion of a bathroom would require a 30% reduction in occupancy. Mr. Webb noted he felt a threshold before the 30% reduction kicked in might be a more usable code. Mr. Webb advised the idea was to eliminate nonconformities and encourage redevelopment and his concern was that the 30% reduction in occupancy would not encourage that to happen.

Mr. Peter McCarthy, 5990 Contreras Road, advised he was also concerned with the proposed 30% reduction in occupancy related to reconfigurations. Mr. McCarthy noted currently the 20% reduction was preventing work from being done and a 30% reduction would totally stop it. Mr. McCarthy advised he owned an eight bedroom home with 8 occupants and if he took some space from a large room to add closets, his occupancy would drop from eight to six. Mr. McCarthy noted he felt there were significant reconfigurations and the smaller reconfigurations could be approved administratively.

Mr. Blackburn noted he felt a 30% reduction in occupancy was wrong and advised approximately 60% of Oxford's revenue came from taxes paid by landlords and property owners who were also worried about cutbacks. Mr. Blackburn advised houses that were not producing money would become vacant and a blight in town. Mr. Blackburn noted he felt if Council legislated occupancy reductions it would slow down renovation, reconstruction and reconfiguration. Mr. Blackburn advised if someone reconfigured a home with a permit for 8 occupants they would not be able to get a permit for 8. Mr. Blackburn noted he felt the landlord or property owner could take care of the reduction themselves and it didn't need to be legislated, it would happen by itself. Mr. Blackburn stated that 30% was ridiculous, 20% was doable and 10% would be better. Mr. McKeehan inquired if the reduction would happen naturally, why it mattered. Mr. Blackburn advised if someone had the opportunity to rent to an additional person that person could be on the lease and be legal rather than being illegal and it was better to be within the law than to have a renter 'tossed'.

Mayor Keebler advised a number of places were grandfathered that never should have been. Mayor Keebler noted there were permitted occupancies and there were effective occupancies and in many cases the effective occupancies were half of what the permitted occupancy was. Mayor Keebler advised the permitted occupancy was 2 per bedroom and now no one was living that way.

Mr. Kyger advised prior to 2007 the reconfiguration of a nonconforming property had to be brought into compliance 100%. Mr. Kyger noted in 2007 the first attempt was made to help people with nonconforming properties have the ability to upgrade the property. Mr. Kyger advised he felt the proposed language was better and noted the goal was to give people a reason to improve their properties. Mr. Kyger advised the percentage for the reduction in occupancy could be whatever Council felt comfortable with.

Ms. Rousmaniere noted she agreed with Mr. Kyger's point. Ms. Rousmaniere advised she was on the subcommittee and one of their goals was to lessen the density of housing in certain parts of the City which was the reason for the proposed 30% reduction in occupancy.

Ms. Rousmaniere noted 30% lessened the density of residential living in certain houses and that was a vision she saw for the City particularly in certain parts of the City where she thought too many people were living on top of each other. Ms. Rousmaniere noted that was her rationale for favoring the 30% reduction.

Mayor Keebler noted he ran some figures as follows:

Occupancy	20% reduction	25% reduction	30% reduction
16	13	12	11
14	11	11	10
12	10	9	8
10	8	8	7
8	6	6	6
6	5	5	4

Mayor Keebler advised the difference between a 25% and a 30% reduction was one additional person in every category except for 8 where it didn't matter. Mayor Keebler noted he would be in favor of a 25% or 30% reduction.

Mr. McKeehan noted he could support a 25% reduction.

Mr. Blackburn inquired how many properties were nonconforming. Ms. Rousmaniere advised 70% of the mile square properties were nonconforming.

Mr. Peter McCarthy, 5990 Contreras Road, noted prior to 2003, 300 to 400 houses were nonconforming and after the 2003 changes an additional 200 houses became nonconforming. Mr. McCarthy advised most of the nonconforming houses were like one he owned with 8 bedrooms and 6 bathrooms. Mr. McCarthy noted the house was on a conforming lot and it was conforming on January 1, 2003 and in March of 2003 it became nonconforming. Mr. McCarthy advised he felt those houses were not the ones Council should be after and noted Council should be after the ones from the lawsuit with big permits and that had been nonconforming for a long time. Mr. McCarthy noted the houses that became nonconforming in the rezoning of 2003 should fall into a different category and have reconfigurations approved administratively.

Mayor Keebler inquired if there was a motion to make a change to the proposed percentage of reduction.

Ms. Rousmaniere advised she would object to a motion to change the percentage and noted the subcommittee worked for a long time to arrive at the proposed 30% reduction. Ms. Rousmaniere noted she would rather go back to the subcommittee for further discussion. Ms. Rousmaniere advised if the matter was to be revisited she would like to hear evidence from landlords regarding how they would be financially impacted by a 30% reduction in occupancy. Ms. Rousmaniere noted there were houses with high occupancy permits and less people living in them than the permit allowed and with a 30% reduction it may be that the landlord would improve the property and increase the number of people living in a house.

Mr. Blackburn noted he would like to discuss the proposed language at the next meeting when all Council members were present. Mayor Keebler advised the second reading would take place at the next meeting.

Mr. Bogard referred to page 61 of Council's Packet and inquired why a porch addition had to be open on two sides. Mr. Chen advised this was directed towards a decorative porch and not to be used as living space.

ORDINANCE
AMENDING SECTION
1159.10 & 1159.19

An Ordinance Amending Oxford Codified Ordinance Section 1159.10, Definitions (Beginning With The Letter "I") And Oxford Codified Ordinance Section 1159.19, Definitions (Beginning With The Letter "R"). (Jung-Han Chen, Community Development Director)

Mr. Chen advised the new definitions corresponded with the proposed changes to the nonconforming language for the three distinctive categories for improvements to structures plus the definition of 'intensity'.

Mayor Keebler noted the new definitions were required.

ORDINANCE
NEW SECTION 1143.12

An Ordinance Repealing Oxford Codified Ordinance Section 1143.12 Entitled GB General Business District, And Adopting New Oxford Codified Ordinance Section 1143.12 Entitled GB General Business District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed language clearly stipulated the transitional setback and the landscaping requirements which the current regulations lacked. Mr. Chen noted the recommendation also outlined the responsibility to maintain planted materials and addressed the building orientation issue to allow for flexibility and ensure pedestrian connectivity to the building. Mr. Chen advised the revisions were geared toward making the regulations reflect the vision of the Comprehensive Plan.

Mayor Keebler noted the Planning Commission felt certain areas of the General Business District regulations needed to be clarified.

ORDINANCE
NEW SECTION 1151.05

An Ordinance Repealing Oxford Codified Ordinance Section 1151.05 Entitled Permanent Signs, and Adopting New Oxford Codified Ordinance Section 1151.05 Entitled Permanent Signs. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed language clarified the signage regulations for multi-tenant sites.

Mr. Peter McCarthy, 5990 Contreras Road, noted a home-based business in a residential area was only allowed to have a two square foot sign and noted the signs the City used for public hearings was six square feet. Mr. McCarthy advised he felt home-based businesses should be allowed to have larger signs.

Mayor Keebler advised the purpose of signage for home-based businesses was not to attract customers but to let customers know they were at the correct place.

Mayor Keebler noted the Planning Commission responded to issues brought forward by the Oxford Chamber of Commerce and the proposed language would assist with signage issues that had arisen.

ORDINANCE
AMENDING SECTION 351.17

An Ordinance Amending Oxford Codified Ordinance Section 351.17 Entitled Vendor Parking. (Alan Kyger, Economic Development Director)

Mr. Kyger thanked the Community Development Department for bringing forward proposed amendments to Sections 1141 and 1143 which made the language a lot clearer. Mr. Kyger advised Section 351.17 referenced commercial districts that no longer existed and the proposed language just referenced 'Commercial Districts'. Mr. Kyger noted it also referenced Section 729.05 which also dealt with parking in commercial districts.

ORDINANCE
AMENDING SECTION 729.05

An Ordinance Amending Oxford Codified Ordinance Section 729.05 Entitled Sales On Certain Municipal Property Prohibited. (Alan Kyger, Economic Development Director)

Mr. Kyger noted the proposed amendment coincided with language Mr. Chen brought forward earlier. Mr. Kyger advised currently, charitable organizations wishing to sell anything on City property had to get Council's approval and the proposed language gave the City Manager's office the authority to make those approvals. Mr. Kyger noted language was added so that any sale or use of alcohol on municipally owned or controlled property had to be approved by Council.

Mayor Keebler noted Council requested this change be made a year ago.

ORDINANCE
NEW SECTION 931.12

An Ordinance Repealing Oxford Codified Ordinance Section 931.12 Entitled Garbage, Refuse and Recycling Service, And 931.13 Entitled Charges, And Adopting New Oxford Codified Ordinance Section 931.12 Entitled Garbage, Refuse and Recycling Service, And 931.13 Entitled Charges. (Alan Kyger Economic Development Director)

Mr. Kyger noted this section of the Code was under the purview of the Service Department. Mr. Kyger advised an issue came about when a business Uptown added a trash compactor and wanted to let other businesses Uptown use it as well. Mr. Kyger noted the code specified that all City of Oxford water account customers must also have a refuse account. Mr. Kyger advised the proposed language would allow the use of shared compactors with stipulations and the plan must be approved by the Service Director. Mr. Kyger noted the intent was to do away with waste wheelers and dumpsters in an effort to clean-up the alleyways.

Mayor Keebler noted concern that people building new structures in the Uptown District would choose not to provide enough space to take care of their trash as had been done a couple of times in recent years. Mayor Keebler added that a business could have an agreement for a shared compactor and two years later the compactor was gone and there was no place to put trash.

Mr. Kyger advised it was the intent of the City not to let that happen and noted the code required businesses to have adequate space for trash. Mr. Kyger suggested adding language to define the space for trash for new building permits based on the number of residential units plus the commercial space.

Mayor Keebler suggested adding language in Section 931.12 as follows: 'Nothing in this Section relieves the property owner from providing adequate space for refuse collection on their own property.'

Mr. Kyger advised staff would provide additional language for the second reading of the proposed Ordinance. Mr. Kyger noted the fees had been removed from Section 931.13 since all current fees were located in the fee ordinance.

Mr. Bogard inquired if staff was going to encourage the use of shared compactors and Mr. Kyger advised yes.

ANNOUNCEMENTS

Mr. Elliott advised several times he had discussed with Council the Municipal Income Tax Uniformity Bill (HB5). Mr. Elliott noted the intent was to make municipal income tax uniform throughout Ohio. Mr. Elliott advised last year Council passed a Resolution supporting the ideas of the Dayton Area Managers and Mayors with some proposals Council felt met the goal of uniformity and Council was concerned with putting forth proposals that were revenue neutral. Mr. Elliott noted the present bill was 141 pages in length and he felt as written it was a bad bill and had a negative financial impact on the City of more than \$50,000. Mr. Elliott advised the goal was tax uniformity and the notion was that if municipal income tax was uniform throughout Ohio it would spur economic development. Mr. Elliott noted he felt the present bill was no longer revenue neutral as it had a negative financial impact on Ohio cities and it was more about tax reduction. Mr. Elliott advised he did not see how a 141 page bill would make for easier compliance and simplification. Mr. Elliott noted the Ohio Municipal League (OML) was not in favor of the bill because it eliminated local control and the mandate would hand complete administrative control over to the state. Mr. Elliott noted the OML also felt the bill expanded the size and scope of state government by mandating a new layer of bureaucracy by creating a Municipal Tax Policy Board. Mr. Elliott advised the bill would lengthen residency requirements from 12 days to 20 days.

Mr. Elliott noted the bill would call for cities to put into place a Problem/Resolution Officer which created a new City position. Mr. Elliott advised the bill imposed on municipalities the obligation to report to the Auditor of State and the Municipal Tax Police Board the amount of revenue collected for the previous year which cities did already in their yearly audit. Mr. Elliott noted he had not read the entire bill but he felt the City should oppose the bill and share with state representatives that the City felt this was not a good bill and it should not move forward.

Mayor Keebler asked Mr. Elliott to put that effort forward once he read the entire bill and to take a uniform stance with other cities. Mr. Elliott advised he would prepare a Resolution for the next meeting.

Mr. Bogard advised he felt the bill would hurt universities in rural settings such as Ohio University and Kent State and suggested coordinating some efforts with other university towns.

Mr. Dreisbach noted the City was starting its spring yard waste and recycling program and those items would be picked up on normal trash pick-up days.

Mayor Keebler advised when Council talked about the College Avenue improvement project the City was going to install a new storm sewer line over spring break, reopen the road, and close it again when Miami was out for the summer to do the repaving. Mayor Keebler noted signs were posted indicating the road would be closed on March 11th for 125 days. Mayor Keebler asked for clarification of the road closure.

Mr. Dreisbach advised several projects were going on including hazardous tree removal, the installation of a new sanitary sewer and the installation of a new storm sewer. Mr. Dreisbach noted the City was doing some of the work and outside contractors were doing some of the work. Mr. Dreisbach advised a lot of curb, gutter and sidewalk replacement was also being done by various contractors. Mr. Dreisbach noted the City contacted property owners and the Community Arts Center whose Director was very concerned with parking and accessibility. Mr. Dreisbach advised local traffic would be able to get through and noted the work schedule was more aggressive than originally presented but also more efficient. Mayor Keebler noted the schedule was different and the public needed to know.

Mr. Kyger noted Teapioca, a new tea & coffee shop opened at 19 W. High Street, Heavy Hands College Bar was under new management and TJ Maxx would conduct a hiring event on March 7th, 8th and 9th at the store on Locust Street. Mr. Kyger noted TJ Maxx should be open in early April.

Mayor Keebler noted Pete Conrad who was the editor of the Oxford Press passed away last evening. Mayor Keebler advised Mr. Conrad was appointed as editor last year and did a wonderful job, had a great writing style, and got involved with the community very quickly. Mayor Keebler noted being editor was a big change for Mr. Conrad who had been a sports writer for many years. Mayor Keebler advised Mr. Conrad brought a different dimension to the paper and community members looked forward to reading his articles. Mayor Keebler extended condolences to Mr. Conrad's family and noted it was sad that he wouldn't be with us again.

Mr. Bogard extended condolences to Mr. Conrad's family and noted he was a sports writer for the Hamilton Journal News for 25-30 years. Mr. Bogard advised Mr. Conrad covered a lot of minor sports events in addition to football and basketball. Mr. Bogard noted Mr. Conrad had a laid back personality and wrote a lot of human interest stories. Mr. Bogard advised Mr. Conrad would be sorely missed and offered blessings to his family during these tough days.

Mr. Bogard advised some Council members would be going off Council this year and the November elections were right around the corner. Mr. Bogard encouraged citizens who were thinking about running for City Council to attend Council Meetings, Planning Commission Meetings and other board and commission meetings to familiarize themselves with City business and the role of City Council.

Mr. McKeehan extended condolences to the Conrad family and noted in the brief time he knew Mr. Conrad he found him to be a warm and genuine man.

Ms. Rousmaniere extended condolences to Mr. Conrad's family and noted he became the editor of the Oxford Press when she was first elected to Council and they became good friends. Ms. Rousmaniere advised Mr. Conrad wrote a wonderful snapshot about City Council that they all enjoyed. Ms. Rousmaniere noted Mr. Conrad was a great small town editor which was a difficult job.

Ms. Rousmaniere advised citizens had asked her questions about the former Wal-Mart redevelopment project and noted the issue would be coming before the Planning Commission and Council in the next few weeks. Ms. Rousmaniere asked staff to prepare a review of the project that had been in the works for at least 5 years. Ms. Rousmaniere noted as a Council person she wanted to make sure she clearly knew the guidelines and criteria she would be considering when looking at the proposal.

Mr. Blackburn extended condolences to the Conrad family and noted Mr. Conrad was a very nice man who would be missed.

Mr. Blackburn noted by virtue of being on Council he was on the Oxford Seniors Board. Mr. Blackburn advised Ms. Potter-Sommer did a lot of things for Oxford Seniors in a caring way and Oxford was fortunate to have her as the Executive Director. Mr. Blackburn noted Ms. Potter-Sommer had made many changes for the better at the Senior Center and had exceed almost all of her goals. Mr. Blackburn advised the Senior Day Care program was in need of participants and encouraged anyone with a need for those services to contact Oxford Seniors.

Mr. Blackburn noted Mel Edwards had been a teacher at the Talawanda Middle School for over 30 years and had been a football player and coach. Mr. Blackburn advised Mr. Edwards was being inducted into the Hall of Fame at his former High School, Flint Southern, which was a nice honor. Mr. Blackburn noted Mr. Edwards had done a lot for the community.

ADJOURN

Mr. Bogard moved to adjourn at 9:18 p.m. Ms. Rousmaniere seconded. The motion passed 5-0-0.