



Agenda

Oxford City Council

Court House

TUESDAY, MARCH 21, 2017

EXECUTIVE SESSION

7:15 P.M.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; Edna Southard

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. Appointments to Boards & Commissions.

B. 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 March 7, 2017 City Council Work Session. (Kim Newton, Acting Clerk of Council)



Minutes

B. Minutes of the March 1, 2017 City Council Meeting (Kim Newton, Acting Clerk of Council)



Minutes

C. Report regarding the March 1, 2017 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. Report regarding the March 1, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

5. Resolutions.

1. A Resolution accepting the insurance bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2017. (Joe Newlin, Finance Director).



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Repealing Current Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights; Community Relations Commission, And Adopting New Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights Commission. (Doug Elliott, City Manager).



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Mar 22 Civil Service Commission Meeting 5: 30 p.m. Municipal Building

TUES - Apr 4 City Council Meeting 7:30 p.m.

WED - Apr 5 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Apr 5 Environmental Commission Meeting 7:00 p.m. Municipal Building

FRI - Apr 7 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Apr 11 Planning Commission Meeting 7:30 p.m.

THUR - Apr 13 Community Relations Commission Meeting 4:00 p.m. Municipal Building

MON - Apr 17 Housing Advisory Commission 7:00 p.m. Municipal Building

TUES - Apr 18 City Council Meeting 7:30 p.m.

WED - Apr 19 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Apr 20 Recreation Board Meeting 4:00 p.m. Senior Center

FRI - Apr 21 Student Community Relations Commission Meeting 2:30 p.m. LCNB

WED - Apr 26 Civil Service Commission Meeting 5:30 p.m.

THUR - Apr 27 Police Community Relations Commission Meeting 7:00 p.m.

FRI - Apr 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

A Joint Work Session of the Oxford City Council and the Planning Commission was called to order by Mayor Kate Rousmaniere on Tuesday, March 7, 2017 at 6:30 p.m. Council members present were, Bob Blackburn, Steve Dana,(Planning Rep.), Glenn Ellerbe, Mike Smith and Edna Southard, (Planning Rep.). Planning Commission members present were, David Prytherch, Chair, Robert Bell, Peter McCarthy and Scott Johnston. Kevin McKeehan and Richard Daniels were excused.

Staff members present: Doug Elliott, City Manager; Jung-Han Chen, Community Development Director; Alan Kyger, Economic Development Director; Mike Dreisbach, Service Director; Jessica Brockman, Acting Law Director and Kim Newton, Acting Clerk of Council.

APPROVAL OF AGENDA

Mr. Ellerbe moved to approve the Agenda. Mr. Dana seconded. The motion carried 6-0-0.

PURPOSE

The purpose of the Work Session was for Council and the Planning Commission to discuss the Planning Commission's goals and priorities for 2017 and beyond.

GOALS AND PRIORITIES

Mr. Prytherch presented a Power Point presentation and discussed the following topics: Economic Development, Housing, Transportation, Land Use/Growth Management and other issues.

Some general discussion included Neighborhood General Business (GB) districts versus general GB districts including what type of businesses would fit into a Neighborhood GB district, square foot limitations and the need to setup minor GB districts in advance. Mr. Prytherch advised the need to define goals for the "Gateways" into Oxford noting the Comprehensive Plan differs from the Zoning Code.

ADJOURNMENT

Mr. Dana moved to adjourn at 7:25 p.m. Mr. Ellerbe seconded. The motion carried 6-0-0.

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

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

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Ms. Southard seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

NOTICE TO LEGISLATIVE AUTHORITY

TREX permit for 1028 Inc. DBA Pixxo Karaoke & Bar 17 S. Beech Street Oxford, Ohio 45056.

Mr. Kyger referred to his staff report on page 5 of the agenda and advised Council had approved a TREX permit for Pixxo on March 1, 2016. Mr. Kyger advised a new TREX was being sought due to the slow buildout of the business and change in ownership which caused the original TREX to be lost to another applicant. Mr. Kyger noted owner Oliver Zhou was in attendance to answer any questions. Mr. Dana referred to the last item in the staff report regarding the transfer of permits and inquired how the hour of 2:30 a.m. is determined. Mr. Kyger advised it is determined by the State noting the individual permits, D1, D2 and D3 have ending periods of 1:00 a.m. and the D3A permit allows for a closing time of 2:30 a.m. Mayor Rousmaniere advised the City's control of liquor establishments is designated by the State of Ohio.

Mayor Rousmaniere inquired how the karaoke business is going and if they were open. Mr. Kyger noted the business is open without alcohol. Mr. Zhou advised they tried to create a place for local students and Asian students to have a place to entertain noting the karaoke rooms are private rooms and outside the private rooms is a lounge area where people can hang out and have a drink. Mr. Zhou advised because they do not currently have a liquor license the lounge area is currently empty and only the karaoke rooms are used. Mayor Rousmaniere inquired if they have customers coming for the karaoke even without the liquor license and Mr. Zhou advised yes noting many Chinese students like karaoke which is very popular in China. Mr. Blackburn noted he was glad they were open and welcomed them to Oxford.

Mr. Kyger advised he met with Chief Jones noting since Pixxo is new to liquor licenses and the rules they thought it would be a good idea to have a police officer meet with the owners to have a training session with them regarding ID's and rules and regulations.

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

PUBLIC COMMENTS

Ms. Becca Bolser, Miami Student and member of the Community Relations Commission, advised she was also a “Vote Everywhere” ambassador for Miami noting their role on Campus is to encourage civic engagement and involvement among the students. Ms. Bolser noted they have recently taken a step to expand into the town of Oxford encouraging local involvement and civic engagement among the residents and extended an invitation to attend “Coffee and Civics” which is a new weekly chat that is held at the Office of Community Engagement & Service at Miami University. Ms. Bolser advised this is a Civics 101 crash course where people can learn more about how government works and provided an example of what the course may offer by asking, “what is a press secretary actually supposed to do or how do you overturn a Supreme Court ruling?” Ms. Bolser also advised they are hosting workshops such as “Advocacy 101” which teaches you how to engage with your elected officials and noted she has flyers available regarding the workshops and the “Coffee and Civics” available or those interested could find more information on the Miami University’s Office of Community Engagement and Services Facebook page.

Caroline and Jenna, Miami University Juniors, Social Service Worker Students, advised they are partnering with other social service students noting they are working on a project which they plan on doing on Green Beer Day. Caroline advised the project is about alcohol consumption at Miami University and how it is a big problem and noted they do not have a set plan in place and inquired if the City had any plans for Green Beer Day to combat this issue. Caroline advised they are thinking about passing out water and food around the neighborhoods and expressed her desire to partner with the City. Mr. Elliott advised Chief Jones will be providing information regarding Green Beer Day at the end of the meeting and noted he received an email from Councilor Southard regarding this program. Ms. Southard expressed her feelings they should be commended for bringing their social work studies to combat the drinking problem and caring for their fellow students.

CONSENT AGENDA

MINUTES

Minutes of the February 21, 2017 City Council Work Session. (Kim Newton, Acting Clerk of Council)

Minutes of the February 21, 2017 City Council Meeting. (Kim Newton, Acting Clerk of Council)

REPORTS

Report regarding the February 16, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the February 22, 2017 Civil Service Commission Meeting. (Candi Fyffe, Human Resources Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **OPPOSING THE STATE BUDGET**

A Resolution No. 5049 of Oxford City Council strongly opposing the State of Ohio Governor's proposed 2017-2018 budget, which proposes centralized collection of net profit tax returns and other provisions related to the Municipal Income Tax which will cause a substantial loss of revenue needed to support the health, safety, welfare and economic development efforts of Ohio Municipalities. (Doug Elliott, City Manager)

Mr. Elliott referred to his staff report on page 22 of the agenda and advised House Bill 49 (H.B. 49), the State of Ohio's biennium budget bill was introduced in the Ohio House of Representatives on February 8, 2017. Mr. Elliott noted with respect to the municipal income tax, H. B. 49 aims to accomplish two major items: 1. Remove the administration of municipal income tax on business net profits from municipalities, and place that administrative authority in the hands of the Ohio Department of Taxation and the Ohio Tax Commissioner, for tax years beginning on or after January 1, 2018; and 2. Eliminate the sales throwback rule for business net profit tax payers. Mr. Elliott advised both of these items will have a negative impact on the City of Oxford's municipal income tax revenues and cash flow and noted the City of Oxford is opposed to this proposal which will eliminate local control over matters of income tax administration as it relates to the businesses net profit tax. Mr. Elliott also noted the local income tax is the major source of revenue for the General and Fire/EMS Funds which also provides funding for the City's Capital Improvement and Equipment Funds. Mr. Elliott expressed his opinion the proposal is bad for the residents and businesses of Oxford because it will negatively affect our ability to provide services and he felt it is an unnecessary intrusion into the affairs of local government and a further erosion of the Home Rule provisions of the Ohio Constitution. Mr. Elliott reminded Council the City has an agency, Regional Income Tax Agency (RITA), which collects the City's income tax and noted they do a good job with collection and making sure tax payers comply with the laws. Mr. Elliott expressed his concern if the proposal is passed that compliance will not be the same and noted if Council passes the Resolution, a copy would be sent to State Representatives, Senator Coley and Representative Keller.

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

Mr. Dana referred to page 23 of the agenda noting in the middle of the Resolution it states "the City of Oxford strenuously objects..." and advised the last sentence says, "that this proposed usurpation shall not take place with a vigorous legal challenge..." which he noted he is pleased to read. Mr. Dana inquired if Mr. Elliott knew of other municipalities that are committed to issue a legal challenge or if there is a coordinated plan in place if the proposal is passed. Mr. Elliott advised the proposed Resolution was provided by the Ohio Municipal League and expressed his

belief if the proposal passed, that a number of municipalities would put forth a legal challenge and the City may want to consider joining them in the challenge. Mr. Dana encouraged his fellow colleagues and citizens to take the initiative to email and or call Senator Coley and State Representative Keller opposing these provisions in the Governor's proposed budget. Ms. Southard seconded Mr. Dana's point and also advised citizens watching the Council meeting on Granicus (Oxford on Demand) can do the same thing. Mayor Rousmaniere noted the City of Eaton wrote and passed a similar Resolution and inquired if other local cities have also passed Resolutions opposing H.B. 49. Mr. Elliott advised he was aware other cities have passed similar Resolutions but noted he did not have a list of cities available to him at this time and expressed his opinion most municipalities that have an income tax would be opposed to the proposal. Mr. Dana advised the Ohio Municipal League's website has "talking points" which you can use when discussing the Bill with your State Representatives. Mr. Ellerbe expressed his opinion that he finds it shameful that the sponsor of the Bill decided to hide something like this inside of it noting it is an erosion of "Home Rule" as well as an erosion of money going to municipalities. Mr. Ellerbe advised no one knows where the extra interest money or where the percentages the State would be taking is going to go noting it is not defined in the Bill. Mr. Ellerbe expressed his feelings these kinds of political maneuvers are "below board" and advised he agrees with the Resolution and expressed his hope it is listened to.

Mr. Dana move to adopt Resolution No. 5049. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION **INVESTMENT MANAGEMENT**

A Resolution No. 5050 authorizing the City Manager and the Finance Director to contract with RedTree Investment Group Services for the management of the City's investable funds. (Joe Newlin, Finance Director)

Mr. Newlin advised the City has contracted with RedTree for the last four (4) years noting the initial agreement was a three (3) year contract with two (2) one (1) year extensions and advised this is the second one (1) year extension being requested.

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

Mr. Dana moved to adopt Resolution No. 5050. Mr. Ellerbe seconded. The motion passed 6-0-0.

RESOLUTION **PERMITTING AND REVIEW** **SERVICES**

A Resolution No. 5051 by Oxford City Council accepting the proposal and authorizing the City Manager to enter into a contract with ViewPoint Government Solutions for cloud-based online permitting and plan review services for a total cost not to exceed \$25,000.00. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to his staff report on page 27 of the agenda and advised this solution will allow for online permit submittal and review which will expedite the review process and allow customers to track the progress of their application and receive “real time” comments through the review process. Mr. Chen advised a RFP was published in the Journal News with three (3) vendors submitting proposals noting staff reviewed the proposals and determined ViewPoint provided the best solution based on usability and ease of the application.

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

Mayor Rousmaniere noted one (1) of the bids was for \$78,000 and the lowest bid was for \$25,000 and inquired why there was such a discrepancy in costs. Mr. Chen advised different vendors have different pricing structures noting the \$78,000 bid was based on the number of users and the lower bid of \$25,000 does not base their fees on the number of users. Ms. Southard noted this is going to save staff time which is very valuable and a good idea. Mr. Smith inquired how quickly this will be put in place and Mr. Chen advised he expected it to be a three (3) to six (6) month rollout.

Ms. Southard moved to adopt Resolution No. 5051. Mr. Dana seconded. The motion passed 6-0-0.

ORDINANCE
FIRST READING
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Newlin referred to his staff report on page 29 of the agenda and advised this is an amendment to transfer \$3,400,000 from the General Fund to the Municipal Facilities Improvement Fund for the renovations of the Municipal Building (old Lane Library) and Police Department (current Municipal Building).

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

ORDINANCE
SECOND READING
REPEAL AND REPLACE
SECTION 931.13

An Ordinance No. 3397 Repealing Oxford Codified Ordinance Section 931.13 Entitled Charges, And Adopting New Oxford Codified Ordinance Section 931.13 Entitled Charges. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this Ordinance will change the language from an unlimited amount of refuse to up to ten (10) properly managed containers to be collected each week to match the current Rumpke contract. Mr. Dreisbach noted he had nothing new to add since the first reading of the Ordinance.

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

Ms. Southard inquired what would happen if a customer exceeds the limit of ten (10) items and Mr. Dreisbach advised Rumpke would typically leave the additional waste at the curb noting the customer has the choice of buying a sticker at the Municipal Building to place on additional items to be collected or they can take them to the City Transfer Station for disposal.

Mr. Dana moved to adopt Ordinance No. 3397. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Smith, Ms. Southard, Mr. Blackburn, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the City is in contract negotiations with the Police Patrol Officers and noted the recent mediation was unsuccessful and advised the next step is fact-finding which will happen in the next several weeks. Mr. Elliott noted the process with fact-finding is that a fact-finder comes in and listens to both sides then makes a decision with both parties voting on the fact-finder's report. Mr. Elliott advised if either party votes it down then the next step will be conciliation of binding arbitration.

Mr. Elliott advised the Municipal Facilities construction drawings should be complete by the end of March noting if that is the case, the bids will go out in April. Mr. Elliott also noted staff is still looking at going out to bid for both projects at the same time or do the City Hall first then bid out the Police Station project second. Mr. Elliott advised even if they are bid out together or separately, the City Hall project will begin first then once that is complete the Police Station renovations can begin. Mr. Elliott noted the total estimated construction cost for both buildings is \$5.5 million which amounts to \$2.6 million for the City Hall renovation at the old Lane Library and \$2.9 for the Police Station renovation at the existing City Hall.

Chief Jones advised he had a couple of updates for Council and read from the following statement:

After careful consideration and a selection process involving four officers, Officer Matt Hardin was recommended for the K9 handler position. We are excited to get Matt serving in this role. Plans are in progress to purchase a K9 from Shallow Creek Kennels in Sharpsville, PA. It will be "pre-trained" by the kennel with only a six week handler course needed after that. This handler course will also be at Shallow Creek from June 26 through August 4th, which is perfect timing for our agency since our workload drops off in the summer. This is an important part of our strategy to combat drug abuse and we are excited to get this started.

Mayor Rousmaniere inquired if the dog is a drug dog and Chief Jones advised it is a dual purpose canine which means it is trained in narcotics detection as well as in patrol work such as searching buildings, searching for missing persons and things of that nature.

Chief Jones continued:

As you all know, there has been a lot of attention on the alcohol issues here in the community. This is a topic that is on everyone's minds. Commended the two students for coming here tonight with an innovative way of helping and a willingness to be involved. Yesterday, City Manager Elliott, Alan Kyger, and I met with President Crawford, Dean of Students Mike Curme, MUPD Chief McCandless, and several of our local liquor permit holders to work towards reducing high risk alcohol consumption. The conversation will continue later this week. It is a topic that we have been working on for some time. The police department works with Dr. Curme and the rest of Student Affairs on a regular basis to combat this issue. We attend the Off-Campus Workgroup meetings and continue to develop new strategies. Various staff members attend meetings, coalitions, and workgroups trying to work on strategies. As part of our education/prevention strategy, I will be participating in a Forum tomorrow night at 7pm at Armstrong Student Center for the Just Call & Good Samaritan campaign. The goal is to educate students to be responsible citizens to just call for help. I would encourage students to attend so they can hear firsthand what the Good Samaritan policy at Miami University is and what that means as far as the Oxford Police are concerned. On Thursday the 9th at 11:30am, at LCNB, there will be a Good Samaritan and Alcohol Poisoning workshop. Again, a positive community response to these issues.

Of course the biggest role for the Police Department is that of enforcement and deterrence. So I wanted to update you with our response. We've enhanced our efforts to be visible and take enforcement action in regards to alcohol. This past weekend and for the next few weeks, we will be bringing in extra officers and working with MUPD on joint patrols. These details will involve a variety of activity that will include house party patrol, dorm checks, retail enforcement, and uptown foot patrol and bar checks. As part of our retail compliance strategy, our detectives conducted a plainclothes operation on Saturday night partnering with a few bars and made 18 arrests in three bars for fake IDs. These efforts and similar strategies will continue throughout the semester.

As you all know, next Thursday will be Green Beer Day. While the impact of this day has dwindled in the past few years and incidents have decreased, we don't want to let our guard down. Our hope is that the day goes without incident. To promote that, here is what is being done in preparation for this event.

- *Several of our Oxford officers will be working overtime that day*
- *We will be partnering with MUPD on joint patrols*
- *You will see a heavy presence from the Ohio State Highway Patrol whose focus will be on traffic safety and getting intoxicated drivers off the road*
- *The Ohio Investigative Unit will have undercover agents in the city focusing on liquor control*
- *So don't be surprised when you see deputies, troopers, and officers from other agencies out and about that day*
- *One of the few days of the year where we discourage visitors from coming to town*

Our goal will be to reduce disorderly behavior that can often be a disruption to the normal business day and to promote safety in the community.

Chief Jones referred to the two (2) students who spoke during Public Comments and noted there are other student organizations doing things on Green Beer Day such as selling pancakes as well as giving out food and drinks.

Mayor Rousmaniere commended Chief Jones on all the great work he is doing noting she sees him on campus and campus media almost as much as she sees him in the City.

Mr. Chen advised the Miami University Alcohol Coordinating Committee will be holding a joint meeting with the Student Community Relations Commission on Friday, March 10th at 2 p.m. in the Renella classroom at the Shriver Center. Mr. Chen advised the topic of the meeting is reviewing the progress and identifying opportunities for improvement in their efforts to combat high risk alcohol consumption. Mr. Chen noted Dr. John Clapp will be in attendance from Ohio State University noting Dr. Clapp is the co-author for higher education combating high risk consumption.

Mr. Wooddell advised the April through September brochure is available and is available on the City's website as well as several Facebook pages noting the hard copies will be available in a couple of weeks. Mr. Wooddell noted he will be giving a presentation to Council in April regarding Parks and Recreation's new programs and events. Mr. Wooddell also advised they will be hiring several summer positions such as life guards, pool supervisors, concession staff and camp leaders noting those positions are open until filled.

Mr. Kyger advised "Rapid Fired Pizza" is now open at 7 West High Street, "Gloyeske Acupuncture Point" had their grand opening on Saturday at 5958 Fairfield Road, and an Asian food market recently opened at 5154 College Corner Pike in the Westgate Shopping Center. Mr. Kyger also advised "Lane & Kate" have closed their business in Oxford and is relocating to Over-the-Rhine in Cincinnati. Mr. Kyger advised Miami University Geography Class 454 is working with the Amtrak committee noting they did a charrette last week to get people's opinion about what they would like to see at the proposed Amtrak location. Mr. Kyger advised one of the biggest things they offered to do is develop a narrative about what the Amtrak stop is going to be.

Mr. Dana advised he had an opportunity for Oxford noting the Ohio, Kentucky, Indiana Regional Council of Governments (OKI) has been awarded \$500,000 from the Duke Class Benefit fund that will allow staff to produce community strategic energy plans for eight (8) interested local communities. Mr. Dana advised OKI will be funding up to eight (8) local energy plans and they will produce these energy plans as part of the work the communities do on their Comprehensive Plans. Mr. Dana noted the point OKI makes is data and goals related to energy are not common features of local Comprehensive Plans and advised this award will allow OKI to gather data and produce at least eight (8) local community strategic energy plans and OKI will work with local governments to tailor each plan to the local communities situation and each plan will feature robust public input. Mr. Dana noted this opportunity could tag along and merge with the revision of the Oxford Comprehensive Plan with emphasis on energy.

Mr. Smith advised the City had a very nice groundbreaking last Wednesday for the OATS Trail at Leonard Howell Park.

Ms. Southard advised a few years ago she had the experience of riding along on Green Beer Day with Chief Jones and several other Officers noting she did this until 3 in the morning. Ms. Southard advised it was a remarkable experience noting how amazing it was and how people should be aware of the very wonderful work the Police Department does in really helping the students. Ms. Southard noted she wants to shine a light on all the many cultural events going on right now advising March and April in Oxford are full of exciting lectures, films and concerts which many are free and noted a symphony will be held the night before Green Beer Day which is devoted to peace. Ms. Southard advised citizens to check Miami's and Enjoy Oxford's websites to see all the good events that are going on noting we live in a wonderful community with lots of good things going on.

Mayor Rousmaniere advised she received an email from a citizen today regarding Green Beer Day and read the following: "How can Oxford allow such a shameless homage to binge drinking at the same time that Miami students are being rushed to the hospital..." Mayor Rousmaniere noted the citizen was basically asking why can't the City stop it and advised the City is preempted by State statute and regulation in regards to any bar or liquor establishment. Mayor Rousmaniere advised the law in Ohio is that the Ohio State Liquor Control defines and shapes the law of liquor in municipalities noting it is something a lot of college towns in Ohio are very upset about and are trying to get in touch with the Ohio Liquor Control Board. Mayor Rousmaniere advised in late July Oxford and Miami University will be hosting the Ohio Town Gown Association Conference noting the afternoon will be spent with visitors from the Ohio State Liquor Control Board where they can talk about these issues. Mayor Rousmaniere also advised there are some really great things going on noting the Coalition for Healthy Communities has a group working on opiate and alcohol issues and the Alcohol Coordinating Committee from Miami University which has intentional Town Gown representatives from the City including police, Student Community Relations Commission members and Miami's President Crawford who has been very active in his advocacy of healthy living. Mayor Rousmaniere advised many staff and Council members have been approached by reporters recently about Miami and Oxford being this horrible place where terrible things happen and noted she will not take it anymore and will only talk about what the City and Miami are doing to make things better.

ADJOURN

Mr. Dana moved to adjourn at 8:23 p.m. Ms. Southard seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: March 21, 2017

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

March 15, 2017
Date Prepared

HAPC MEETING REPORT – March 1, 2017

New Business

HAPC-2017-05, 13 N. Main Street, installation of a small cell pole in the right-of-way, David Kramer, Cincinnati Bell Applicant

The proposed pole is to be located between the sidewalk and parking lot curb in the North Main Street right of way adjacent to the lot known as “Lot 52” city parking lot. The pole will be 31 feet in total height, 20 inches wide at the base and powder coated dark green consistent with other poles and street furniture Uptown. The City recently passed legislation, Ordinance #3374 which provided for small cells to be located within public rights of way. This is one of four to be located in the City. It is the only one of the four to be in a historic district. The State of Ohio legislature also recently passed legislation restricting local jurisdictions from overly regulating small cells. The 1994 Historic District Design Guidelines do not address small cells. The closest related chapters are Street Furniture Chapter 22 and Utility Chapter 20. The intent is to guide new above ground features as to not negatively alter the character of the historic district. The COA was approved 4-0 with the conditions that the color be very dark green and the pole be located in the tree strip closest to the parking lot.

Administrative Approvals

HAPC-2017-06-ADM 110 E. High Street, canopy removal, Scott Webb, Applicant/Agent

This was an administrative approval to remove a dangerous canopy on an existing building for safety purposes.

Announcements

- May Walking Tours
- May Historic Marker Applications
- Inventory Subcommittee
- Continuing Education

HAPC is still seeking a seventh commission member to serve. The member could be a non-resident but would have to be a business owner, resident or property owner within one of the three Oxford historic districts.

The next regular meeting is April 5, 2017 at 6:00 p.m. at 118 W. High Street.

Department Head:
City Attorney:
City Manager:

MC 3/15/17
DRE 3/16/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: March 21, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

March 8, 2017
Date Prepared

Agenda Title: Environmental Commission Meeting of March 1, 2017

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, March 1, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell; and Mr. Vince Hand. A quorum was present. Mr. Andor Kiss had previously notified the Commission that he would not be attending the meeting. Also in attendance was Oxford resident, Mr. Jonathon Ralinosky, and Miami University student, Ms. Claudia Worley.

The minutes from the February 1, 2017 Environmental Commission meeting were unanimously approved as presented.

Ms. Worley, President of the Miami Chemical Society's Green Application, made a presentation informing and inviting the Commission to the "Green Ball" to be held at the Shiver Center's Heritage Room the evening of Thursday, April 20, 2017. This is the first year for the Green Ball, and it is intended to provide the opportunity for Miami University graduates and students to discuss and/or make presentations regarding "green" chemical applications, research, and/or processes.

Mr. Bell informed the Environmental Commission that the Planning Commission anticipated receiving a consultant's recommendations regarding efforts to encourage higher density housing in the vicinity of Miami University's campus. Commissioners inquired if any requirements for reduction of storm water run-off were intended in the zoning regulations permitting the higher residential density, and asked that such restrictions be considered.

The Environmental Commission reviewed its work on crafting Sensitive Development Areas language for Oxford Codified Ordinance Chapter 1101.402. Some additional revisions and refinements were suggested and ultimately made to the draft text. Mayor Rousmaniere indicated she would provide the Commission's draft text to Community Development Director Jung-Han Chen for his review and potential additional revision suggestion(s).

(Continued)

Approved By:

Department Head:
City Manager:

Initial	Date
<u>ASD</u>	<u>3/14/17</u>
<u>DRE</u>	<u>3/16/17</u>

Mr. Bell informed the Commission that he and Community Development Director Chen had started the review of the Environmental Commission's draft revision to Oxford's Codified Ordinance Chapter 935 (Trees, Shrubs and Other Plants) regarding preservation and restoration of trees on private property developments. Presently, they were considering the suggestions to incorporate Oxford's Zoning Districts, specifically exempting R-1 and R-2 zoned properties, to delineate the type or nature of properties the Ordinance would potentially affect. Also, they were intending to re-order the presentation of the draft requirements in an effort to emphasize importance of the particular regulation. Mr. Bell indicated that he and Mr. Chen intend additional meetings on the subject.

The Arbor Day Proclamation for 2017 was unanimously approved as presented. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Tree City USA Awards Program is to be held in Lebanon, Ohio on Friday, April 21, 2017. Commissioners were invited to attend the event.

The Earth Day Proclamation for 2017 was unanimously approved as presented. Staff was instructed to forward the Proclamation to City Council for their consideration. Staff informed the Commissioners that this year's Earth Day observation ("EarthFest") would occur on Saturday, April 22, 2017 in the Uptown Memorial Park, running from approximately 9:00 a.m. until 12:00 noon. Staff has reserved a spot for the Environmental Commission at the event and intends to be present to distribute literature, take requests for changes in recycling services, and be present to answer questions from the public. Commissioners were invited to attend the event.

The Commissioners concluded discussion at 8:50 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, April 5, 2017 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager

Finance Department
Originating Department

Council Meeting Of: March 21, 2017

Account Code No. #: Various

Joe Newlin
Prepared By

Budgeted Amount: \$179,335

March 13, 2017
Date Prepared

Agenda Title: 2017 Property and Casualty Insurance

Recommendation: Approve

Discussion:

Staff is requesting Council to approve the property and casualty insurance renewal of up to \$167,500 for 2017. This represents an approximate 1.6% increase (\$2,760) over last year's cost of \$164,740. The primary increase is due to an increase in automobile coverage for a larger fleet than last year, and the replacement value coverage on certain fire vehicles. Insurance premiums will be paid on a semiannual basis. The City is experiencing a rate guarantee for 2017 as this is the final year of the 3 year rate guarantee.

Approved By:

Department Head:
City Manager:

Initial Date
[Signature] 3/13/17
DRE 3/17/17

RESOLUTION NO.

RESOLUTION ACCEPTING THE INSURANCE BID OF INSURANCE SPECIALIST GROUP, INC., DBA LOVE INSURANCE PARTNERS FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE COVERAGE FOR 2017.

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

SECTION 1: Insurance Specialist Group, Inc., dba Love Insurance Partners (hereinafter 'Love Insurance Partners') submitted an insurance bid not to exceed \$167,500.00 for the City's property and casualty insurance coverage for 2017, an approximate 1.6% increase over last year's cost of \$164,740.00.

SECTION 2: Council hereby accepts the insurance bid of Love Insurance Partners not to exceed \$167,500.00 for the City's property and casualty insurance coverage for 2017.

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

VICE MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: March 21, 2017

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

March 14, 2017

Date Prepared

Agenda Title: An Ordinance Repealing Current Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights; Community Relations Commission, And Replacing It With New Chapter 143 Of The Oxford Code Of Ordinances Entitled Civil Rights Commission.

Recommendation: Adopt the Ordinance.

Discussion:

In 1972, the Oxford City Council created the Community Relations Commission (CRC). One of its purposes was to investigate complaints in the areas of employment, housing, and public accommodations due to discrimination based on race, color, religion, ancestry, and/or national origin. In 2008, the protected classes were expanded to include sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status. The Commission since its inception in 1972 has always been called the Community Relations Commission. Although, in the City's Codified Ordinances, Chapter 143 is entitled Civil Rights; Community Relations Commission. (There was a brief time when the Police Advisory Board (PAB) was combined with the CRC. However, in 2005 the PAB was separated from the CRC.)

Presently, there are three City commissions which include the word "community" in the name. This includes the Student Community Relations Commission (SCRC), the Police Community Relations and Review Commission (PCRRC), and the Community Relations Commission (CRC). Each of the three commissions has a distinct and separate responsibility.

In order to address the possibility of confusion and provide some distinction between the other two commissions, the CRC members and I are recommending to City Council that the Community Relations Commission name should be changed to the Civil Rights Commission.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

3/17/17

ORDINANCE NO.

AN ORDINANCE REPEALING CURRENT CHAPTER 143 OF THE OXFORD CODE OF ORDINANCES ENTITLED CIVIL RIGHTS; COMMUNITY RELATIONS COMMISSION, AND ADOPTING NEW CHAPTER 143 OF THE OXFORD CODE OF ORDINANCES ENTITLED CIVIL RIGHTS COMMISSION.

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

SECTION 1: Council hereby finds that it is necessary to repeal Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission and adopt new Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights Commission. It is the legislative determination of this Council that it is in the best interest of the City of Oxford to rename Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission to Civil Rights Commission to better reflect the purpose of the commission in its title.

SECTION 2: Council hereby repeals Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights; Community Relations Commission, and adopts new Chapter 143 of the Oxford Code of Ordinances entitled Civil Rights Commission attached hereto and incorporated herein as Exhibit "A". Deletions are struck through and additions are bolded.

SECTION 3: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

CHAPTER 143

~~Civil Rights; Community Relations Commission~~ Civil Rights Commission

143.01 DEFINITIONS.

As used in this chapter, the following terms shall have the meanings ascribed in this section, unless the context requires otherwise:

- (a) "Commission" shall refer to the Oxford ~~Community Relations~~ **Civil Rights** Commission.
- (b) "~~Community Relations~~ **Civil Rights** Director" means an employee of the City appointed to these duties by Council.
- (c) "Discriminate" and "discrimination" include segregate or separate and any difference in treatment based on race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.
- (d) "Employer" means any person who employs four or more persons, within the City, including the City of Oxford, its departments, boards, commissions and authorities.
- (e) "Employment agency" means any person regularly undertaking with or without compensation, to procure opportunities for employment or to procure, recruit, refer or place employees.
- (f) "Housing accommodations" includes any building or structure or portion thereof which is used or occupied or intended, arranged or designed to be used or occupied as a home residence or sleeping place of one or more individuals, groups, or families, whether or not living independently of each other; and any vacant land offered for sale or lease. It also includes any housing accommodation held or offered for sale or rent by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner, by the owner himself, or by his legal representative. Owner-occupied dwellings which consist of not more than four units are exempt from the rental portions of this chapter.
- (g) "Labor organization" includes any organization which exists for the purpose, in whole or in part, for collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.
- (h) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee and lending institution, and the City of Oxford and all political subdivisions, authorities, agencies, boards and commissions thereof.

(i) "Place of public accommodation" means any inn, restaurant, eating house, barbershop, public conveyance by air, land or water, theater, store or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation, advantages, facilities or privileges thereof are available to the public.

(j) "Restrictive covenant" means any specification in a deed, land contract or lease limiting the use of any housing because of race, color, religion, national origin, ancestry, sexual orientation or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status as a condition of affiliation or approval.

143.011 ~~COMMUNITY RELATIONS~~ CIVIL RIGHTS COMMISSION.

(a) The ~~Community Relations~~ **Civil Rights** Commission shall consist of five greater Oxford area residents selected by Council to serve three-year overlapping terms: one member shall be appointed for one year, two members shall be appointed for two years, and two members shall be appointed for three years. Thereafter, members shall be appointed for three-year terms of office.

(b) The Commission, in addition to the powers and duties set forth elsewhere in this chapter, shall have the power and responsibility of studying, investigating, conducting public meetings and public hearings relative to any and all matters of factual situations wherein there is the possibility of the existence of discriminatory practices or prejudice or discrimination which in any manner could conceivably result in any degree of deprivation of the civil rights of any person within the City of Oxford.

(c) Said Commission may initiate action pursuant to these powers upon its own motion and shall have the duty of initiating such action whenever a majority of the members of said Commission deem action necessary and appropriate.

(d) No provision of this section shall be construed so as to limit the power or authority of the Commission in the area of discriminatory practices or civil rights violations, and this section shall be construed broadly to permit the Commission great latitude in these areas.

(e) In addition to other purposes contained in this chapter, it shall be a primary purpose of the Commission to become acquainted with any and all discriminatory practices, civil rights violations or matters of similar nature existing within the City of Oxford, and to acquaint both the public and Council, as well as other persons, as to the nature thereof, as well as to make findings of fact, determinations and recommendations.

(f) The Commission may accept its own rules of procedure and whenever the Commission shall convene a hearing, said Commission may administer oaths and take such testimony as shall be deemed necessary by the Commission to effectuate such hearing.

143.02 FAIR HOUSING.

It shall be unlawful discriminatory practice for any person to do any of the following:

- (a) Refuse to sell, transfer, assign, rent, lease, sublease, finance or otherwise deny or withhold housing accommodations from any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any prospective owner, occupant or user of such housing accommodation.
- (b) Represent to any person that housing accommodations are not available for inspection when in fact they are so available.
- (c) Refuse to lend money, whether secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations or otherwise withholding financing of housing accommodations from any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodation, provided such person, whether an individual, corporation or association of any type, lends money as one of the principal aspects of his business and not only as a part of the purchase price of an owner-occupied residence he is selling nor merely casually or occasionally to a relative or friend.
- (d) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing any housing accommodations or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing accommodations, because of race, color, religion, ancestry, national origin sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodation.
- (e) Discriminate against any person in the terms or conditions of any loan of money, by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodations, because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status of any present or prospective owner, occupant or user of such housing accommodations.
- (f) Print, publish or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease or acquisition, construction, rehabilitation, repair or maintenance of any housing which indicates any preference, limitation, specification or discrimination based upon race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.
- (g) Make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status in connection with the sale or lease of any housing accommodations or the loan of

any money, whether or not secured by a mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations.

(h) Include in any deed, land contract or lease of any housing accommodations any restrictive covenant, or honor or exercise or attempt to honor or exercise, any such restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision.

(i) Induce or solicit or attempt to induce or solicit any housing accommodations listing, sale or transaction by representing that a change has occurred or may occur with respect to the racial, religious, or ethnic composition of the block, neighborhood or area, in which the property is located, or induce or solicit or attempt to induce or solicit such sale or listing by representing that the presence or anticipated presence of persons of persons who are pregnant or of any race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, height, weight, or veteran status in the area will or may have results such as the following:

- (1) The lowering of property value.
- (2) A change in the racial, religious or ethnic composition of the block, neighborhood or area in which the property is located.
- (3) An increase in criminal or anti-social behavior in the area.
- (4) A decline in the quality of schools serving the area.

(j) Discourage or attempt to discourage the purchase by prospective purchasers of any housing accommodations by representing that any block, neighborhood or area has or might undergo a change with respect to the religious, racial, national or sexual composition of the block, neighborhood or area.

(k) Nothing in this section shall bar any religious or denominational institution or organization, or any charitable or educational organization, which is operated, supervised or controlled by or in connection with a religious organization, or any bona fide private or fraternal organization, from giving preference to persons of the same religion or denomination, or to members of such private or fraternal organization, or from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained, unless membership in such organization is restricted on the basis of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(l) Discriminate in any manner against any other person because he has opposed any unlawful practice defined in this chapter, or because he has made a charge, testified, assisted or participated in any manner, in any investigation, proceeding or hearing under the provisions of this chapter.

(m) Nothing in this chapter shall require any person to offer housing or business accommodations for sale or lease or to show such accommodations to any person if such person is not negotiating for the purchase or lease thereof in good faith.

143.03 UNLAWFUL EMPLOYMENT PRACTICES.

It shall be an unlawful discriminatory practice, except where based upon applicable national security regulations established by the United States:

(a) For any employer to refuse to hire any person or otherwise to discriminate against any person with respect to hiring, tenure, compensation, promotion, discharge or any other terms, conditions or privileges directly or indirectly related to employment because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(b) For any employer, employment agency or labor organization to establish, announce, or follow a policy of denying or limiting, through a quota system or otherwise, the employment or membership opportunities of any person or group of persons because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(c) For any employer, labor organization or joint labor management committee controlling apprentice training programs to discriminate against any person because of race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status in admission to or employment in any program established to provide apprentice training.

(d) For any employer, employment agency or labor organization to publish or circulate or to cause to be published or circulated any notice or advertisement relating to employment or membership which indicated any preference, limitation, specifications or discrimination based upon race, religion, color, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(e) For any employment agency to fail or refuse to classify properly or refer to employment or otherwise discriminate against any person because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(f) For any employer to substantially confine or limit recruitment or hiring of employees with intent to circumvent the provisions of this chapter, to any employment agency, employment service, labor organization, training center, training school or any other employee referring source known to discriminate against persons because of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(g) For any labor organization to discriminate against any person or limit his employment opportunities or otherwise adversely affect his status as an employee, or his wages, hours or employment conditions because of his race, color, religion, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status.

(h) For any employer, employment agency or labor organization to discriminate against any person because he has opposed any practice forbidden by this chapter, or because he has made a complaint or testified or assisted in any manner any investigation or proceeding under this chapter.

(i) For any person, whether or not an employer, employment agency or labor organization, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful discriminatory practice by this chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter to be an unlawful discriminatory practice.

(j) Nothing in this chapter shall require any person, company or business to offer employment to any person not applying for such employment in good faith.

143.04 UNLAWFUL PUBLIC ACCOMMODATION PRACTICES.

It shall be an unlawful discriminatory practice:

(a) For any proprietor or his employee, keeper or manager of a place of public accommodation to deny to any person, except for reasons applicable alike to all persons regardless of race, color, religion, national origin, ancestry, sexual orientation, gender identity, sex, disability, age, pregnancy, height, weight, or veteran status the full enjoyment of the accommodation, advantages, facilities or privileges thereof.

(b) For any proprietor or his employee, keeper or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services and privileges of any such place shall be refused, withheld, or denied to any person on account of race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status or that such person is unwelcome, objectionable or not acceptable, desired or solicited.

(c) For any person, whether or not included in subsections (a) and (b) hereof, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful discriminatory practice under this chapter.

143.05 COMPLAINT PROCEDURE.

(a) Whenever it is charged in writing, by a person or aggrieved organization, hereinafter referred to as "complainant", that any person, employer, employment agency and labor organization, hereinafter referred to as the "respondent", has engaged in or is engaged in any unlawful discriminatory practices as defined in this chapter, or upon its own initiative, in matters relating to such discriminatory practices, the ~~Community Relations~~ **Civil Rights** Director may initiate a preliminary investigation. Such charge shall be filed with the Director within six months after the alleged unlawful discriminatory practices are committed. If the Director determines after such investigation, that it is not probable that unlawful discriminatory practices have been or are being engaged in, the Director shall notify the complainant of the determination and recommendation to not pursue further action on the matter.

(b) If the Director determines, after such investigation, that it is probable that unlawful discriminatory practices have been or are being engaged in, he shall endeavor to eliminate such practices by informal methods of conference, conciliation and persuasion. If after such investigation and conference, the Director is satisfied that any unlawful discriminatory practice of the respondent will be eliminated, it may treat the complaint as conciliated and notify the complainant that it will not initiate prosecution of the matter.

(c) If the Director fails to effect the elimination of such unlawful discriminatory practices or to obtain conciliation of the matter, or, if the circumstances warrant, in advance of or during any such preliminary investigation or endeavors to conciliate the matter, the Director shall issue and cause to be served upon the respondent a notice of an investigative hearing, notifying the respondent of an investigative hearing before the ~~Community Relations~~ **Civil Rights** Commission, at a time and place therein fixed to be held not less than ten days after the service of such notice and stating the charges specified in the original charge against the respondent.

(d) Any such charge may be amended by the Director or complainant at any time prior to or during the hearing based thereon. The respondent shall have the right to file an answer or to amend an answer to the original or amended charge, and to appear at such hearing in person, by attorney or otherwise to examine and cross-examine witnesses.

(e) The complainant shall be a party to the proceeding, and any person who is an indispensable party to a complete determination or settlement of the question involved in the proceeding shall be joined. Any person who has or claims an interest in the subject of the hearing and in obtaining or presenting relief against the acts or practices complained of, may be, in the discretion of the ~~Community Relations~~ **Civil Rights** Commission, permitted to appear for the presentation of oral or written argument.

(f) In any proceeding the ~~Community Relations~~ **Civil Rights** Commission shall not be bound by the rules of evidence prevailing in the courts of law or equity, but shall in ascertaining the practices followed by the respondent, take into account all reliable, probative and substantial evidence, statistical or otherwise, produced at the hearing, which may tend to prove the existence of an unlawful discriminatory practice or a predetermined pattern of unlawful discriminatory practice under this chapter, provided that nothing contained in this section shall be construed to

authorize or require any person to observe the proportion which persons of any race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status bear to the total population or in accordance with any criterion other than the individual qualifications of the applicant.

(g) The testimony taken at the hearing shall be under oath and shall be reduced to writing, and filed with the ~~Community Relations~~ **Civil Rights** Commission. Thereafter, in its discretion, the Commission upon notice to the plaintiff, ~~Community Relations~~ **Civil Rights** Director and to the respondent with an opportunity to be present may take further testimony or hear arguments.

(h) No person shall be compelled to be a witness against himself in any hearing, formal or informal, before the ~~Community Relations~~ **Civil Rights** Director or ~~Community Relations~~ **Civil Rights** Commission.

(i) In conducting any hearing as provided herein, the Commission may subpoena as witnesses any person believed to have knowledge of facts relevant to such hearing, may compel the production of books, papers, records or other evidence relative to such hearing by the person having custody or control thereof and may administer oaths, take testimony and issue such rules as shall be necessary to effectuate an investigatory hearing under this section.

(j) Upon written application of the respondent, complainant or Director, the ~~Community Relations~~ **Civil Rights** Commission shall issue subpoenas as if issued on its own motion.

(k) If upon all the reliable, probative and substantial evidence the Commission determines that the respondent has engaged in, or is engaging in, any unlawful discriminatory practice under this chapter, whether against the complainant or others, the Commission may endeavor to eliminate such practices by informal methods of conference, conciliation and persuasion. If the Commission fails to effect the elimination of such unlawful discriminatory practices or to obtain conciliation of the matter, or, if the circumstances warrant, in advance of or during such investigative hearing, or endeavors to conciliate the matter, the Commission may direct the ~~Community Relations~~ **Civil Rights** Director to guide the complainant in the prosecution of this matter in the appropriate court of record.

(l) If the Commission finds that no probable cause exists for crediting the charges, or if upon all the evidence the Commission finds that the respondent has not engaged in any unlawful discriminatory practice under this chapter, against the complainant or others, it shall state its findings or fact, and shall notify the complainant and respondent that it will not prosecute the matter further.

143.06 VALIDITY AND SEVERABILITY.

This chapter and each part of any section thereunder are hereby declared to be independent sections and parts of sections and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of any section or the application thereof to any person or circumstance is held to be invalid, the remaining sections or parts of sections and the application of such provision to any person or circumstances other than

those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and parts of sections would have been passed independently of such section or parts of such sections so known to be invalid.

143.99 PENALTY.

(a) Any person who fails to comply with a subpoena issued by the ~~Community Relations~~ **Civil Rights** Commission as provided in this chapter shall, upon conviction thereof, be fined not more than fifty dollars (\$50.00).

(b) Any person convicted of a violation under this chapter shall be fined not more than one hundred dollars (\$100.00) for a first offense and not more than five hundred dollars (\$500.00) for any subsequent offense.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance
Originating Department

Council Meeting Of : 3/21/2017

Account Code No. : see below

Joe Newlin
Prepared By

Budgeted Amount : _____

3/15/2017
Date Prepared

Agenda Title: 2017 Supplemental Budget #3

Recommendation: Approve

Issue 1

To make adjustment to amended budget for sidewalk improvements on Morning Sun Road and recognizing a donation or \$140,000 from McCullough-Hyde Trihealth Hospital

Action Needed:

Revenue Side

Capital Improvement (141) 140,000.00 Donation from McCullough-Hyde Trihealth Hospital

Expense Side

Capital Improvement (141) 140,000.00 Additional appropriation for sidewalk construction

Net Effect on Fund Balance/(s) -
Increase/(Decrease)

Issue 2

To make adjustment to amended budget for revenue in the Fire & EMS Fund for township contributions
Oxford Township original budgeted revenue \$60,000 new \$80,000 for equipment and \$90,000 for services
Milford Township original budgeted revenue \$10,200 new \$16,200 for services

Action Needed:

Revenue Side

Fire & EMS (418) 110,000.00 Oxford Township contribution
Fire & EMS (418) 6,000.00 Milford Township contribution

Expense Side

Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Total Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Breakdown by Fund

Capital Improvement (141) -
Fire & EMS (418) 116,000.00

Net Effect on Fund Balance/(s) 116,000.00
Increase/(Decrease)

Approved By:

Department Head:

City Manager:

Initials Date
[Signature] 3/15/17
[Signature] 3/17/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in revenues be made:

Capital Improvement Fund 141	140,000.00
Fire & EMS Fund 418	116,000.00

SECTION 3: The following increase/(decrease) in appropriations from unencumbered balances be made:

Capital Improvement Fund 141	140,000.00
------------------------------	------------

SECTION 4: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance

Originating Department

Council Meeting Of : 3/7/2017

Joe Newlin

Prepared By

Account Code No. : see below

Budgeted Amount : _____

2/28/2017

Date Prepared

Agenda Title:	2017 Supplemental Budget #2
----------------------	------------------------------------

Recommendation:	Approve
------------------------	----------------

Issue 1

To make adjustment to amended budget for transfer from the General Fund to the Municipal Facilities Improvement Fund \$3,400,000

Action Needed:

Revenue Side

Municipal Facilities Improvement (143)	3,400,000.00	Transfer from General Fund
--	--------------	----------------------------

Expense Side

General Fund (110)	3,400,000.00	Transfer to Municipal Facilities Improvement Fund
Municipal Facilities Improvement (143)	3,400,000.00	Increase of Appropriations for Municipal Facilities Improvements

Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
---	----------------

Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
---	----------------

Breakdown by Fund

General (110)	(3,400,000.00)
Municipal Facilities Improvement (143)	-

Net Effect on Fund Balance/(s) Increase/(Decrease)	(3,400,000.00)
---	----------------

Approved By:	Department Head:	<table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Initials</td> <td style="width: 50%; text-align: center;">Date</td> </tr> <tr> <td style="text-align: center;"><i>[Signature]</i></td> <td style="text-align: center;">2/28/17</td> </tr> <tr> <td style="text-align: center;"><i>[Signature]</i></td> <td style="text-align: center;">3/3/17</td> </tr> </table>	Initials	Date	<i>[Signature]</i>	2/28/17	<i>[Signature]</i>	3/3/17
Initials	Date							
<i>[Signature]</i>	2/28/17							
<i>[Signature]</i>	3/3/17							
	City Manager:							

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 2 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	3,400,000.00
------------------	--------------

SECTION 3: The following transfer(s) be executed:

Transfer from:	
General Fund 110	3,400,000.00

Transfer to:	
Municipal Facilities Improvement Fund 143	3,400,000.00

SECTION 4: The following increase/(decrease) in revenues be made:

Municipal Facilities Improvement Fund 143	3,400,000.00
---	--------------

SECTION 5: The following increase/(decrease) in revenues be made:

Municipal Facilities Improvement Fund 143	3,400,000.00
---	--------------

SECTION 6: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

ACTING CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)