

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.