A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, March 18, 2014 at 7:30 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Joe Newlin, Finance Director; Mr. Bob Holzworth, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Rousmaniere moved to approve the agenda. Mr. Snyder seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

REQUEST FOR USE OF F-2 (ONE TIME) PERMIT

Ms. Joan Potter Sommer, Executive Director, Oxford Seniors, referred to the written request as presented on page 5 of the agenda and noted Oxford Seniors was requesting permission to serve wine at an event on May 19, 2014 in celebration of their partnership with Miami University. Ms. Potter Sommer advised Oxford Seniors and the university had an affiliation since 2009 and this event would formalize that affiliation.

Mayor McKeehan advised this was a state issued permit and Ms. Potter Sommer was asking permission to serve alcohol because Oxford Seniors was a City owned building.

Mr. Blackburn noted President Hodge would be in attendance for the document signing. Ms. Potter Sommer advised the Provost and one of the Deans would also be present and Council members were all invited to attend the event.

Mr. Keebler moved to approve the request as stated in the letter dated February 25, 2014. Mr. Blackburn seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the March 4, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the March 5, 2014 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the March 5, 2014 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTIONS

RESOLUTION
SALVAGE VEHICLES

A Resolution No. 4816 authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (Bob Holzworth, Police Chief)

RESOLUTION
COMPUTER UPGRADES

A Resolution No. 4817 authorizing the City Manager to enter into an agreement with CDW-G for the purchase of computer equipment and software related to the City of Oxford's Storage Area Network (SAN) device and virtual server upgrade project to be purchased through the National Joint Powers Alliance contract #111309-CDW at a cost not to exceed $35,684.26. (Kim Newton, Assistant to the City Manager)

Ms. Rousmaniere moved to approve the consent agenda. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
PROPERTY AND CASUALTY
INSURANCE

A Resolution No. 4818 accepting the bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2014.

Mr. Newlin advised the proposed Resolution was the annual renewal of the City's property and casualty insurance and it was increasing by approximately 8.5%. Mr. Newlin noted staff researched several markets and this was the best renewal available at this time.

Mr. Snyder inquired if this was an annual exercise and Mr. Newlin advised yes.

Mr. Snyder inquired why the price increased by 8.5%. Mr. Newlin advised all of the insurance agencies were increasing their rates and there weren't too many that wanted the City's business due to pending claims.

Mr. Snyder moved to adopt Resolution No. 4818. Ms. Rousmaniere seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3249. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2014. (Joe Newlin, Finance Director)

Mr. Newlin advised Council was aware this appropriation was coming forward for improvements to the Fire Station. Mr. Newlin noted last year $400,000 was transferred from the General Fund and the balance would be paid from the Fire/EMS Fund. Mr. Newlin advised once the project was done the money would be available and it included a contingency.

Mr. Snyder noted Council had reviewed this project several times and it was included in the capital improvement budget.

Mayor McKeehan noted the improvements were very much needed for the Fire Department.

ORDINANCES
SECOND READING

ORDINANCE
AMENDING ORDINANCE
NO. 3147

An Ordinance No. 3267 To Amend Ordinance No. 3147 Regulating The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc. Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending April 30, 2019 By Authorizing Glenwood Energy Of Oxford, Inc. To Implement A Rider To Recover The Costs Of Moving A Pipeline Associated With The U.S. 27 South Improvement project. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised there was no new information since the first reading of the proposed Ordinance.

Mr. Keebler advised this was a necessary component of the US 27 South project and Mr. Dreisbach presented an excellent report at the last meeting as to why this was the best and least expensive method for Glenwood Energy to recover the cost of relocating the gas pipeline.

Mr. Keebler noted Glenwood Energy was permitted to recover the cost of relocating the pipeline under state statute and he felt this was the best way for them to recover their costs in the shortest amount of time and with the least effect on gas rates in the future which was why Council should approve the Ordinance.

Ms. Rousmaniere noted this was a 4.1% increase above the current rate of $5.77 per Mcf. Mr. Dreisbach advised the increase was only on the general service rate and there were 2 components, the gas cost recovery which was what the company paid for fuel and the general service rate.

Ms. Southard noted relocating the pipeline was good for the safety of the community.

Mr. Keebler moved to adopt Ordinance No. 3267. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
OVERLAY DISTRICT

An Ordinance No. 3268 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-1A Single Family Low Density Residential District, For 29 Parcels Located On Contreras Road, James Road, Dick Drive, And Joseph Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised a map of the proposed overlay district was in Council's packet on page 44. Mr. Chen noted he received an email from Don Nelson of 6020 Joseph Drive asking him to ask Council to approve the proposed Ordinance and that was the only new information he had regarding this matter.

Ms. Kathleen Zien, 6060 Joseph Drive, noted she was pleased the petition was before Council as a grassroots effort of residents who chose to pursue the intricate path of compliance last fall. Ms. Zien advised it took effort and hours to repeat the same information person to person and carry a petition down the block for weeks. Ms. Zien advised knowing her neighborhood and property owners who signed the petition; they likely would not consider selling their homes now or ever for possible rental use. Ms. Zien noted one home on Joseph was owned by someone with a Chicago address which was why the proposed Ordinance was essential. Ms. Zien advised she felt the overlay option was well thought out with specific procedures designed not to be a caviler task but a laborious one. Ms. Zien noted the residents had gone through the proper channels and the right hoops and they followed to the letter what Council outlined for residential communities in their effort to establish an overlay district.

Ms. Zien advised this was a very established neighborhood built in the 40s and 50s by Miami Valley Lumber. Ms. Zien noted Howell Lloyd had lived on Joseph Drive for 45 years, the Rosenburgs 42 years, Don Nelson 52 years, the Danels 59 years, and she and her husband for 30 years and there were not many remaining Oxford neighborhoods with that kind of resident longevity. Ms. Zien advised Joseph Drive, James Road and Dick Drive had less than a three car street width making potential rental parking overload a safety issue for emergency access. Ms. Zien noted for the record that Scott Van Dam owned homes at 6015 and 6005 Joseph Drive and even though he signed the petition for 6015 he confirmed to staff that his signature meant an in kind acknowledgement and both of his lots should be shaded on the drawing as having signed the petition yet the drawing of the proposed district was not corrected in 5 weeks. Ms. Zien advised three Planning Commission members recused from Planning's vote on the proposed overlay district because one lived in the proposed district and two lived in the surrounding area and one of the members in the surrounding area spoke from the audience contending that if a resident preferred not to be in the overlay this denied property rights and a resident should be able to opt-out. Ms. Zien noted residents could opt-out by going through the same steps the residents went through to create the proposed district. Ms. Zien advised the only reason she could think of for opting-out was to be a student landlord since the overlay district provided the opportunity to rent a home to a related family. Ms. Zien noted those who signed the petition wanted to guarantee their property rights, neighborhood stability, and preserve what they had to ensure their investments were safeguarded. Ms. Zien referred to the minutes on page 15 of the agenda and noted it seemed the same Planning Commission member shared his thoughts with a Councilor even though the Planning Commission member was not part of the proposed district to be approved and asked Council not to deny the Ordinance because someone on the side lines wasn't affected. Ms. Zien advised everyone still had property rights and the overlay district allowed residents to exercise them. Ms. Zien noted if the proposed district was approved perhaps other areas would follow suit. Ms. Zien noted her hope Council would approve the continued maintenance of this single-family area for the overlay's purpose as it was a neighborhood driven request, the first overlay of its kind, it would set precedence and meet an important goal for Oxford protecting the privacy of residents while minimizing noise, congestion, traffic and parking and it discouraged rental properties ensuring the true neighborhood in the most restrictive R1 residential zoning district.

Ms. Rousmaniere clarified that Mr. Van Dam owned two homes on Joseph Drive and that he lived in one and rented the other. Ms. Rousmaniere noted Mr. Van Dam verbally acknowledged that he signed the petition for both residences.

Mr. Chen advised Mr. Van Dam sent an email after staff accepted the petition for 6015 Joseph Drive and forwarded the petition to the Planning Commission. Mr. Chen noted both properties were included in the proposed overlay district.

Mayor McKeehan referred to page 44 of the agenda and advised the 'shading' did not reflect inclusion in the proposed overlay district it reflected who signed the petition.

Mr. Keebler noted the petition met more than the criteria whether Mr. Van Dam signed for one or two properties. Mr. Keebler advised nothing in the proposed overlay district prohibited anyone from renting property it simply limited the number of unrelated people living in a residence.

Mayor McKeehan noted he was proud to see the proposed overlay district come to fruition having been initiated by the Housing Advisory Commission 2-2 ½ years ago. Mayor McKeehan noted the process might be laborious but it was do-able and the residents could amend it or rescind it by going through the same process.

Mr. Snyder moved to adopt Ordinance No. 3268. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted at the last meeting a young man requested that Council consider lowering the age requirement for a taxicab operator. Mr. Elliott advised the present requirement was 21 years of age and at this time he was not recommending to lower the age limit as he and staff planned to make recommended changes to the existing taxicab regulations which were adopted in 1961. Mr. Elliott noted the recommendations would likely include increasing the fee (presently $10 per year) and the required insurance limits as well as the addition of pedicab regulations. Mr. Keebler suggested that staff review the requirements for vehicle inspections. Mayor McKeehan suggested that staff research regulations for Uber Cabs.

Mr. Elliott updated Council and the public on the proposed Electric Aggregation program noting he reviewed the PUCO filing instructions for Certification of Governmental Aggregators and the application and affidavit could be completed by the City after Council approved an Ordinance and if the program was approved by the voters . Mr. Elliott advised he spoke to Mike Sims of Butler Rural Electric Cooperative (BREC) who wanted the City to understand that there were 140 residents and businesses in Oxford (including Wal-Mart and the Talawanda High School) served by BREC and those customers would not be eligible to participate in an Oxford Electric Aggregation program if one was established.

Mr. Elliott advised the pre-construction meeting with ODOT for the US 27 South improvement project was scheduled for March 25, 2014.

Mr. Chen advised the goals for the Historic and Architectural Preservation Commission this year were to continue the Historic Marker Program and to assist potential recipients. Mr. Chen noted some of the commission members would like to attend seminars and training sessions on historic preservation such the one being held in Northern Kentucky this weekend. Mr. Chen shared with Council and the public a proposed new Historic District sign designed by Councilor Smith.

Ms. Southard advised she attended the annual Butler County District Advisory Council meeting on behalf of the City and reported that Butler County would be part of a national system for being storm ready. Ms. Southard noted she was impressed by how much work was going into Emergency Management on behalf of Butler County residents. Ms. Southard advised Butler County citizens should be reassured that so much work was going on behind the scenes to protect them.

Mr. Blackburn noted he felt the logo Councilor Smith designed for the Historic District was very nice looking and offered suggestions for its placement.

Mr. Keebler advised the Oxford La Rosa's restaurant was chosen as the 2013 store of the year out of 61 stores in the system which was quite an accomplishment. Mr. Keebler noted he felt Joel and Melissa Engelhard had done an exceptional job of running the restaurant and making it a welcoming place for people and they should be very proud. Mr. Keebler advised he felt it was nice that the corporate office recognized that as well.

Mayor McKeehan echoed Mr. Keebler's comments regarding La Rosa's and thanked the owners for all they did for the community. Mayor McKeehan noted Mr. and Mrs. Engelhard donated a lot of time, product, gift cards, etc. for many Oxford events including the Pasta Fest which was held last week to benefit the Family Resource Center. Mayor McKeehan and Mr. Keebler advised Mr. and Mrs. Engelhard also supported the Oxford Relay for Life event.

Mayor McKeehan noted Thursday was Green Beer Day which was not the proudest time for Oxford. Mayor McKeehan warned participants to be careful and noted the Oxford Police Department with assistance from other departments would be out in full force. Mayor McKeehan applauded business owners who chose not to participate in Green Beer Day.

ADJOURN

Mr. Snyder moved to adjourn at 8:07 p.m. Mr. Blackburn seconded. The motion passed 7-0-0.