

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, March 19, 2019 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. John Detherage, Fire Chief; Mr. Alan Kyger, Economic Development Director; Ms. Amy Blankenship, City Attorney and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

HONORING SIBYL A. HARRIS MILLER

Mayor Rousmaniere read the Proclamation as shown on page 5 of Council's packet and presented it to Ms. Sibyl A. Harris Miller.

Ms. Sibyl A. Harris Miller, thanked Mayor Rousmaniere and Councilors for the Proclamation noting she was grateful to them as individuals and as the governing body in this wonderful City. Ms. Harris Miller advised the honor being bestowed upon her by the YWCA tomorrow is based on the mission of the YWCA which is eliminating racism and the empowering of women. Ms. Harris Miller noted she felt the City of Oxford was way ahead of other communities in Butler County or in southwestern Ohio in terms of both of these important missions. Ms. Harris Miller advised she and her husband left Oxford in 1967 and they did not know if they would be comfortable when they returned in 2000. Ms. Harris Miller noted when they returned they were embraced by the entire town and advised she was proud to be part of the City of Oxford. Ms. Harris Miller noted she felt Oxford had a heart for promoting the mission of eliminating racism and empowering women although there was much more to do. Ms. Harris Miller advised she felt we as a City and as a community can do this. Ms. Harris Miller recognized members of the Oxford League of Women Voters who were in the audience as well as her daughter, husband and Wendy Waters Connell, Executive Director of the YWCA. Ms. Harris Miller introduced Sandra Woy-Hazleton, Co- President of the League of Women Voters.

Ms. Sandra Woy-Hazleton, noted she was sure Council members were aware that Oxford was full of individuals and organizations who are acutely concerned about the environment, sustainability and who take seriously the challenges of planet change. Ms. Woy-Hazleton advised not everyone was aware of what all of the organizations, groups and individuals were doing. Ms. Woy-Hazleton note the Oxford League of Women Voters would like to hold a community-wide public meeting called a Climate Summit.

Ms. Woy-Hazleton advised the event would take place April 10, 2019 from 7:30 to 9:00 p.m. in the Presbyterian Seminary building at the corner of Poplar and Church Streets. Ms. Sandra Woy-Hazleton noted the league was asking everyone to come and provide information on their projects and what their organizations were doing to cooperate, promote sustainability and reduce Oxford's carbon footprint. Ms. Woy-Hazleton advised there would be an exchange of ideas and noted the different groups could figure out how to cooperate. Ms. Woy-Hazleton advised City Council has said that they would like to receive community input as they move forward in terms of doing a Climate Action Plan noting the league felt this would be a great start in terms of identifying those individuals who are most invested and interested in helping push this forward. Ms. Woy-Hazleton noted the Mayor, Councilors, Jessica Greene with Enjoy Oxford, professors from Miami University and individuals who are activists will all be there and noted her hope the 'house would be packed'.

Mayor Rousmaniere congratulated Ms. Harris Miller on her award from the YWCA and thanked the YWCA for supporting the City of Oxford and for visiting this evening. Mayor Rousmaniere noted Council was proud to have Sibyl amongst them.

PUBLIC COMMENTS

There were no additional comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the March 5, 2019 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the March 6, 2019 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTION

ROOFING CONTRACT

A Resolution No. 7050 accepting the proposal and authorizing the City Manager to enter into an agreement with Revitalize, LLC to perform the Senior Center Roof Replacement project at the City owned structure located at 922 Tollgate Drive Oxford, Ohio, 45056 at a cost of \$31,000.00 plus a contingency amount of ten percent (10%) of the contract price or \$3,100.00 for a total cost not to exceed \$34,100.00. (Casey Wooddell, Parks and Recreation Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **SALE OF ALCOHOLIC** **BEVERAGES**

A Resolution No. 7051 authorizing the sale of alcoholic beverages in the Uptown Parks area for the Oxford Community Foundation's "Brews for Bricks" event to be held on August 17, 2019 from 4:00 p.m. until 9:30 p.m. with one condition. (Alan Kyger, Economic Development Director)

Mr. Kyger noted the noted the Uptown Parks can be reserved for any group or organization although when alcohol was involved it needed Council's approval. Mr. Kyger introduced Leah Flynn, Executive Director of the Oxford Community Foundation noting she would explain what the foundation desired to in terms of their event in the parks. Mr. Kyger advised staff had a recommendation to substitute the Resolution as shown on page 27 of Council's packet with another Resolution eliminating one of the 2 conditions for approval.

Ms. Leah Flynn, Director, Oxford Community Foundation, introduced Debbie Ross noting Debbie was the Chair of the "Brews for Bricks" event committee and a member of the Board of Directors for the foundation. Ms. Flynn advised Brews for Bricks was a new fundraising event that the Oxford Community Foundation is hosting to raise awareness and funds to support the operations of the foundation and to increase support for the local community. Ms. Flynn noted the event would be a family friendly evening with food trucks, craft beer and live music to celebrate and support the greater Oxford community. Ms. Flynn advised the proposed date was August 17 from 4-9:30 p.m. at the Uptown Parks and her hope was to promote families to attend from the greater Oxford community. Ms. Flynn noted the Oxford Community Foundation was founded in 1996 to serve the greater Oxford community by identifying, addressing and improving the evolving needs of the community now and for all time. Ms. Flynn advised in the last fiscal year the foundation awarded more than \$300,000 in grants and scholarships to support the local community. Ms. Flynn noted funds raised from their event will stay in the community to support the community. Ms. Flynn thanked Council for their consideration and for their support of the foundation throughout the years.

Mayor Rousmaniere inquired how the funds would be raised. Ms. Flynn advised anyone could attend the event to enjoy the music and noted to purchase beer or food tickets needed to be purchased. Ms. Flynn advised a portion of the ticket sales would go directly to the foundation.

Mr. Dana inquired if there would be any other means of raising funds. Ms. Flynn advised the committee thought about offering picnic blankets for people to purchase.

Ms. Southard noted the foundation wanted this to be family friendly event although beer was being sold. Ms. Flynn advised there would also be food trucks including a dessert specific truck, free activities for children and music.

Mr. Kyger referred to condition 2 on page 27 of Council's packet "The beer truck area shall be roped off and each person entering the roped off area shall be at least 21 years of age to purchase beer."

Mr. Kyger advised if condition 2 was left in the Resolution no one under the age of 21 would be allowed enter the park area which would defeat the family friendly theme. Mr. Kyger asked for a motion to substitute the Resolution with the replacement Resolution which removes condition 2.

Chief Jones advised OPD will require a Police Officer to be on duty for the event.

Mr. Prytherch noted his support for the event and advised he looked forward to attending.

Mr. Smith moved to substitute a new Resolution for the one that was in Council's agenda this evening. Mr. Dana seconded. The motion passed 7-0-0.

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

Ms. Southard moved to adopt Resolution No. 7051. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
WINE SALES AT THE
OXFORD FARMERS MARKET

A Resolution No. 7052 authorizing the City Manager to permit the Oxford Farmers Market Association to allow a Farmer's Market vendor to sell tasting samples of wine for consumption on premises, and wine in sealed containers for consumption off the premises of the Oxford Farmers Market in 2019 with conditions. (Alan Kyger, Economic Development Director)

Mr. Kyger reiterated that having alcohol on public property requires City Council approval noting Mr. Slocum was in attendance to explain what the Farmers Market did last year and what they hope to do again this year.

Mr. Larry Slocum, advised the winery would have their area roped off with an entrance and an exit so only anyone over 21 years of age could enter the tent. Mr. Slocum noted the wine sales went very well last year with no issues what so ever and advised he would like to repeat that for the 2019 season.

Ms. Southard inquired how successful the wine sales were last year. Mr. Slocum noted the vendor was excited to come back this summer as they did quite well.

Mr. Ellerbe inquired if any small breweries have requested the same thing and Mr. Slocum advised no, although he might try to locate one for next season.

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

Mr. Dana moved to adopt Resolution No. 7052. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
REVOLVING LOAN FUND LOAN

A Resolution No. 7053 approving a \$63,250.00 Revolving Loan Fund Loan to LogCon, LLC dba, Books & Brews. (Alan Kyger, Economic Development Director)

Mr. Kyger advised the petitioner submitted an application for a loan from the City's Revolving Loan Fund which was a fund of money the City has under its control that can only be used for business start-ups, business expansions or anything that will create new jobs. Mr. Kyger noted there was a list of criteria for what qualifies for a Revolving Loan Fund loan which was predominantly job creation and job creation for low to middle income families. Mr. Kyger referred to page 50 of Council's packet and discussed the RLF requirements and how the applicant has met all of the requirements. Mr. Kyger noted the proposed business would be located at the former Quarter Barrel location at 107 E. Church Street. Mr. Kyger advised the owners of Quarter Barrel came before the CIC and Council 10 years ago and borrowed \$93,000 for their project and paid it back in 5 years noting the City had a track record with a restaurant at that location.

Ms. Ann Kamphaus, applicant, introduced her husband Neil and noted she was excited to speak to Council with regard to Books & Brews. Ms. Kamphaus advised having this business has been a dream of theirs since moving to Oxford noting she was an avid reader and former librarian and there was not a bookstore in Oxford when they moved here. Ms. Kamphaus advised she wanted to provide a bookstore in a place that people could gather socially to disconnect. Ms. Kamphaus noted she and her husband started doing some research and found Books & Brews in Indianapolis which started its franchise in 2014. Ms. Kamphaus advised there were 10 Books & Brews in the Indianapolis market noting she and Neil purchased their franchise in September of 2017. Ms. Kamphaus noted she has visited 6 of the Books & Brews locations with her family and advised it was a family environment. Ms. Kamphaus displayed slides of the proposed business with the tag line of "Read, Drink, Converse". Ms. Kamphaus discussed the "books" portion of the business noting she would provide an excellent selection of new and used books for sale and advised 10% of the used book profits would be donated to the Oxford Community Foundation to support the Oxford Literacy Team. Ms. Kamphaus noted in accordance with their franchise agreement Books & Brews would carry 5 craft beers which are brewed in Indianapolis. Ms. Kamphaus discussed the menu while Neil provided a sample menu to Council and staff. Ms. Kamphaus discussed activities that would take place at Books & Brews including Trivia nights, Bingo nights, open mic nights and movie nights. Ms. Kamphaus advised special events could be booked at the store and noted they would also participate in fund raisers. Ms. Kamphaus discussed literary merchandise they would offer for sale with some of the proceeds going back to literacy events. Ms. Kamphaus advised Mr. Kamphaus has been a member of the Oxford Chamber of Commerce for a number of years and was currently on the United Way Board noting they both liked to be involved in their community and they wanted to make Books & Brews as much a part of the community as they possibly could. Ms. Kamphaus advised they planned to volunteer at the Wine Festival this year and the Brews for Bricks event that was discussed earlier. Ms. Kamphaus noted they would be partnering with the Oxford Literacy Team through the Talawanda School District and they had a partnership pending with Miami University which they were excited about. Ms. Kamphaus advised she had friends who owned their own businesses but do not have a brick and mortar building and noted Books & Brews would provide opportunities for them and others to have a pop-up shop in the store once a month or quarterly.

Ms. Kamphaus advised her husband would take care of the financial matters for the business and noted they had two sons who felt Oxford needed a Books & Brew.

Ms. Kamphaus advised the revolving loan would provide start-up capital to purchase furnishings and do some renovation prior to opening.

Mr. Kyger advised the loan review committee vetted the loan application thoroughly and recommended approval of the loan to the full CIC Board.

Ms. Leah Flynn, Oxford Community Foundation, spoke in support of the new business and commended the owners for their efforts to give back to the community.

Mr. Dana inquired how the life expectancy of the asset determined. Mr. Kyger advised there was a wide variety of things that would be purchased with the loan money and noted the loan review committee felt 10 years was too long and 5 years would be somewhat difficult based on the projected income and expenses. Mr. Kyger advised the loan review chose to recommend a 7 year loan.

Mayor Rousmaniere inquired what the plans were for renovation and timing. Ms. Kamphaus advised the lease at 107 E. Church begins on April 1st and noted they would do some modifications on the inside prior to opening in June.

Ms. Southard noted her support for the new business and wished Mr. and Ms. Kamphaus much success. Ms. Southard encouraged the owners to support local agriculture and use local foods and meats. Ms. Kamphaus noted she planned to seek out items as much as she could locally.

Ms. Raghu noted her support for the project and advised a bookstore would fill a gap in Oxford. Ms. Raghu inquired which other franchises in Oxford obtained a revolving loan fund loan. Mr. Kyger advised Buffalo Wild Wings received a revolving loan fund loan.

Mr. Prytherch wished Mr. and Ms. Kamphaus much success noting he felt Books & Brews would fill an important niche as we try to recruit the best people to live and work in Oxford. Mr. Prytherch noted he was happy the City can make loans such as this one.

Mr. Dana moved to adopt Resolution No. 7053. Mr. Smith seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

ADOPTING CHAPTER 1111

An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Doug Elliott, City Manager)

Mr. Elliott read his staff report into the record as follows:

“Included with this report is the amended and proposed Tree Preservation and Protection Ordinance. The original ordinance proposed by the Environmental Commission and reviewed by the Planning Commission in April of 2018 proposed language in the Planned Development Chapter 1145 and in the Design and Construction Standards in Section 1101.4 of the Subdivision Regulations Chapter 1101. In order to make the proposed regulations easy to find and understand the Environmental Commission was tasked with proposing a separate Chapter 1111. As written, the proposed ordinance applies to any privately owned parcel of land of 2 acres or more. This includes developed as well as undeveloped land. There are presently 108 privately owned parcels of land of 2 acres or more within the City of Oxford. However, the ordinance includes contiguous parcels of less than 2 acres owned by the same person. For example, Habitat for Humanity owns several parcels off of Hester Road and they would be required to comply with the proposed ordinance. The ordinance requires that before any protected tree or landmark tree is removed a tree survey and tree replacement plan must be approved either by the Community Development Director in the case of individual lots of 2 or more acres or by the Planning Commission for development projects. Developers must also submit a tree replacement plan. All trees to be removed must be marked. This will add to the cost of any new housing development in the City of Oxford including affordable housing for example, it is estimated that a tree survey for an acre of land with approximately 40 trees will cost \$2,500. The penalty for not complying is a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for any subsequent offense. The Tree Authority as written in this ordinance is the Environmental Commission.” Mr. Elliott offered to answer any questions.

Mr. Perry noted the Community Development department would enforce the proposed Ordinance if it is adopted. Mr. Perry advised he felt the proposed Ordinance was well written and well researched although he also felt it was not feasible and he did not recommend it be adopted. Mr. Perry advised he has done a tree survey himself and noted he has looked at some properties in Oxford that the proposed Ordinance would impact. Mr. Perry advised the proposed Ordinance does recognize that trees provide an ecological service, clean the air, reduce the effects of heat and provide shade and beauty. Mr. Perry noted he did not think Council had the opportunity to see what the economic impact would be on a new development or on a home owner. Mr. Perry advised he counted trees on three different properties around town and noted the impact will range \$20,000 to \$100,000 per acre based on the re-planting cost for trees which he felt was not feasible. Mr. Perry noted the cost for building a single family home could double or even triple. Mr. Perry advised he felt there was a better way to preserve trees without using the proposed method. Mr. Perry noted there would be an economic impact on the City operation as it would be something new to enforce. Mr. Perry advised he felt existing Ordinances are sufficient in the planned development and subdivision regulations. Mr. Perry noted there were existing regulations that require preservation of natural vegetation and a review of sensitive development areas. Mr. Perry advised the City has contracted with Butler Soil and Water to help with development review in the past year. Mr. Perry noted he felt it was important for Council to have as much information as possible before acting on the proposed Ordinance.

Mr. Vincent Hand, noted he was a member of and speaking on behalf of the Environmental Commission. Mr. Hand noted he would provide the history and some of the rationale behind the proposed Ordinance.

Mr. Hand advised the Mayor requested an update to the sensitive areas Ordinance in August of 2016. Mr. Hand noted there was a request subsequently to focus on tree preservation in part due to some development issues. Mr. Hand advised the Environmental Commission prepared a revision of Chapter 935 which is the current Ordinance involving park and public trees which was passed on to staff and the Planning Commission. Mr. Hand noted then there was a long delay because the Environmental Commission was asked to re-write the Ordinance, there was a change of staff and the Environmental Commission was asked to re-write the Ordinance back. Mr. Hand advised Council had a Work Session in 2018 which was confirmation that the new Chapter should be independent of the development Ordinances. Mr. Hand advised the Environmental Commission has not had much to do with the Ordinance since October of 2017. Mr. Prytherch noted Council talked after the Work Session about ways they would like to see the Ordinance improved and inquired if the proposed Ordinance incorporated those concerns or if it was the draft Council saw in August of 2018. Mr. Hand noted it was a stand alone Chapter then it was incorporated into the development regulations at the request of a previous staff member and subsequently the Environmental Commission was requested to take it back out of the development regulations. Mr. Hand advised he felt it made far more sense as a stand alone Chapter. Mr. Hand provided slides and noted he wanted to mention how the proposed Ordinance is consistent with the Comprehensive Plans of 2008 and of 1998. Mr. Hand advised Chapter 3 on land use emphasizes managing growth, keeping the small town character, green areas and preserving farm land, expanding urban green space specifically requiring trees and landscapes in subdivisions and commercial properties, being a leader in environmental stewardship and environmentally sensitive and sustainable practices. Mr. Hand noted the plan also mentions utilities specifically storm-water and pointed out that trees are an important component in slowing the flow of run-off. Mr. Hand referred to Chapter 12 on implementation and advised based on an analysis of the 1998 Comprehensive Plan regulatory follow through was lacking in the 1998 plan and the consultant said the Planning Commission staff and the community could have benefitted from revised tools to implement key land use recommendations. Mr. Hand noted he felt substantial progress had been made since then. Mr. Hand advised the tree plan was consistent with adding tools for dealing with issues of regulatory implementation of key recommendations. Mr. Hand noted mature trees keep carbon dioxide, a greenhouse gas, out of the atmosphere. Mr. Hand advised he met with Mr. Prytherch and the OKI Regional Council of Governments and talked about sensitive areas and tree ordinances and they gave them a number of suggestions. Mr. Hand noted the primary source for the proposed language was the City of Delaware and the City of Springfield as they have implemented similar regulations. Mr. Hand advised the Environmental Commission liked to think that the proposed Ordinance was appropriate for Oxford and that it meets an expressed need since City Council requested it originally. Mr. Hand noted citizens have expressed concerns multiple times about tree clearing on at least 3 developments. Mr. Hand advised the Environmental Commission tried to make a practical trade-off between ease for owner occupants and trying to address concerns about clear cutting or removing trees un-necessarily. Mr. Hand noted the Environmental Commission tried to minimize the burden on owner occupied properties noting lots under two acres were exempt. Mr. Hand advised some cities require a permit for any tree removal by anyone which did not seem appropriate. Mr. Hand noted he was not sure if any landmark trees existed in Oxford and advised landmark trees are on a list of champion trees provided by the State of Ohio. Mr. Hand advised the proposed Ordinance requests that the cost of replacing trees is included in the City's fee Ordinance in the event that not all of the trees on the site can be replaced. Mr. Hand noted the Environmental Commission worked a lot with and consulted Chapter 934 regarding park and public trees and advised he felt that should be updated.

Mr. Hand reiterated the Environmental Commission felt the proposed Ordinance meets a need expressed by Council and by citizens which reflects long and careful thought. Mr. Hand noted he was sorry the Environmental Commission did not hear sooner about the practicalities of the survey and advised he would be interested in investigating that in more detail. Mr. Hand offered to answer any questions.

Mr. Coe Potter, noted he felt the purpose of the proposed Ordinance was laudable and advised his feeling very few citizens would object to its purpose. Mr. Potter inquired if the City has done an economic feasibility impact study. Mr. Potter advised the cost to the City for administration of the proposed Ordinance looking at it in totality appears to be an enforcement and compliance nightmare and very costly. Mr. Potter noted he looked at 15 properties on a cul-de-sac and of those 12 would not be subject to the regulations and 3 would be subject to it. Mr. Potter advised as a relator he has to disclose zoning for a property and for these 3 properties he would have to provide the purchaser a copy of the tree Ordinance because they would be subject to the regulations and their neighbors would not. Mr. Potter provided a map and referred to a City owned property on SR 732 South noting there are at least three properties that have single family homes on them now that would have to comply with the Ordinance and showed the properties that would not have to comply with the Ordinance. Mr. Potter noted that was an economic impact on the City for the cost of enforcement. Mr. Potter inquired about the economic impact on individuals with private property noting they were existing homes not developmental property. Mr. Potter inquired what percentage of the acreage in the community will be protected by the proposed Ordinance. Mr. Potter inquired if City property will fall under it. Mr. Potter noted his understanding was that Miami University property will not be subject to it and inquired about school district and federal property. Mr. Potter advised he felt a fairly small percentage of property would be protected by the proposed Ordinance and inquired if that small percentage had to be burdened by this while a huge percentage of the community is not burdened with it. Mr. Potter inquired if this will deter development by adding cost which is listed in Section 1111.17 and advised he felt it was going to be extremely expensive. Mr. Potter inquired if Council had investigated how much cost is involved in complying with that Section alone noting he felt it was cost prohibitive. Mr. Potter inquired what the adverse impacts would be and inquired if it would have an adverse impact on the OATS Trail. Mr. Potter inquired if the proposed Ordinance would have adverse impacts on affordable housing in Oxford. Mr. Potter advised he attended the Housing Advisory Commission meeting last night to find out if they were aware of this proposed Ordinance and they were not aware of it as a commission noting they were not in a position to comment to Council as to the effect this Ordinance might have on affordable housing.

Ms. Etta Reed, Bayer Becker, 110 S. College Avenue, noted she was very familiar with the developments that have prompted this as she was directly involved with those. Ms. Reed advised Bayer Becker has done a lot of work in other Tree Cities in the area such as the City of Mason, Lebanon, Hamilton and Fairfield noting the proposed regulations were significantly more restrictive and costly than what Bayer Becker sees in the other agencies. Ms. Reed noted most of the other cities do not require a tree survey and if they do it is only for trees 18" and larger in diameter not 6". Ms. Reed advised the proposed regulations would be very expensive for any type of development to occur. Ms. Reed offered recommended changes which she provided to Council and staff with regard to Definitions, Tree Preservation on Private Property, Acceptable Tree Removal Areas and Tree Survey and Tree Replacement Plan.

Ms. Reed noted she understood the intent of the proposed Ordinance although she felt it was very aggressive and that it would deter development due to the cost impact with regard to the tree survey and replacement.

Mr. Scott Webb, Architect, noted he wanted to echo the points Mr. Potter and Ms. Reed made noting they were not in attendance to say there should not be a tree Ordinance they were in attendance because of the severity and impracticality of its application. Mr. Webb advised a lot of the work will go to Mr. Perry as the Community Development Director and inquired what the appeal process was. Mr. Webb noted the appeals process was very important to the implementation of the proposed Ordinance. Mr. Webb advised he felt Mr. Perry should be commended for saying this may not be the right time or the right particular Ordinance for Oxford. Mr. Webb noted the City currently owned 47 acres that is currently for sale and advised the cost of the tree survey will be added to the development cost of it. Mr. Webb noted in line with the Comprehensive Plan perhaps City Council should be a leader and a good steward and survey the City owned acreage first to show everyone what this is all about.

Mr. Dana noted Mr. Perry stated the impact would be between \$20,000 and \$100,000 per acre and inquired how he arrived at that. Mr. Perry advised one of the properties he looked at had 19 trees on one acre and that equated to \$4,800 per quarter acre lot of tree replanting cost for all 19 trees. Mr. Dana inquired about the existing legislation noting Mr. Perry indicated he felt it was adequate. Mr. Perry advised the Subdivision and Planned Development Chapters of the Zoning Code have regulations for Sensitive Development Areas which covers floodplains, endangered wildlife areas, wetlands and existing mature tree areas. Mr. Perry noted when an application is submitted staff can look at the topography and determine whether existing mature trees were documented or not and ask for information during the submittal process prior to the Planning Commission's review.

Mayor Rousmaniere noted in 2016 a development plan came forward off of Country Club Road with a sensitive areas element that Council asked about and inquired if a sensitive areas review was voluntary. Mr. Perry advised it was not something the Planning Commission demanded. Mr. Perry noted knowing now the direction City Council is going staff could have asked for that in the submittal process and reviewed it to explain what mature trees were there. Mr. Perry advised a road dead-ended into the mature area so not everything could have been saved. Mr. Perry noted he felt that would have provided an opportunity for some negotiation. Mayor Rousmaniere inquired again if the sensitive areas regulation was mandatory. Mr. Perry advised the legislation states that mature trees should be preserved and it is up to the City as to how to interpret that. Mr. Perry noted if a change was to be made it can be done in the review process with the Planning Commission.

Mr. Prytherch noted as someone who was involved in that from the Planning Commission approaching this Ordinance makes him disposed to an Ordinance like this because of the Planning Commission experience. Mr. Prytherch advised the reality of some of the City's development projects is that the projects were laid out according to the logic of lot subdivision and roadway connectivity without much apparent prior survey of the site conditions. Mr. Prytherch noted when the Planning Commission reviews a project and sees a roadway going through a mature woodlands there was no mechanism to narrow the roadway or move the lots.

Mr. Prytherch inquired what would have to have been different under the code that would have allowed the Planning Commission to have a more meaningful conversation about the site conditions including mature woodlands. Mr. Prytherch inquired what would have influenced the layout of the streets and the lots in a way that did not happen.

Mr. Perry advised a revision was made that requires a surveyor or engineer to actually stamp the drawings when they are submitted. Mr. Perry noted that information can be relayed to the development community. Mr. Perry advised if Council felt a text amendment was needed to have more teeth in the sensitive development area Section of the code he was ok with that.

Mr. Prytherch noted Council does not want to impede development although they want development to go in places with the least impact.

Mayor Rousmaniere noted Ms. Reed indicated the proposed regulations are more restrictive than in other communities although the Environmental Commission looked at Delaware and Springfield Ohio's regulations and made Oxford's less restrictive. Mayor Rousmaniere advised at some point they were brought to the City Manager and made even less restrictive. Mr. Perry offered to talk to the City of Delaware and the City of Springfield.

Mr. Prytherch inquired what the recommendation was from the Planning Commission. Mr. Elliott advised this had been a long process and there had been different iterations of the language. Mr. Elliott congratulated the Environmental Commission noting they did a very fine job. Mr. Elliott noted he felt everyone agreed on what was trying to be accomplished and the question was how to get there. Mr. Elliott advised the proposed Ordinance deals with private property noting if the City developed its property on SR 732 it would be exempt. Mr. Elliott noted he was not sure if the proposed language is the appropriate language for Oxford. Mr. Elliott advised he felt there was a simpler way of doing this.

Mayor Rousmaniere advised while the proposed Ordinance was postponed a lot of trees were cut down behind Stewart Square noting it has taken a long time to get a tree preservation ordinance in place which has been very frustrating. Mayor Rousmaniere inquired what the Planning Commission recommended.

Mr. Prytherch noted Ms. Reed provided constructive suggestions as to how to make this work better. Mr. Prytherch advised perhaps the proposed Ordinance should be tabled. Mr. Prytherch noted the current situation means there is no inventory of trees prior to the development of property. Mr. Prytherch noted if Mr. Perry believes tree preservation can be achieved by adding additional language to the Zoning Code he was ok with that. Mr. Prytherch advised he wanted people to go into a site and think about where the trees are located before the development is laid out. Mr. Prytherch noted the current process has been inadequate to that challenge.

Mr. Ellerbe noted he felt the proposed Ordinance as written seems very hard on the City of Oxford in general. Mr. Ellerbe advised if a developer wanted to come to Oxford as this is written they are going to incur a significant cost. Mr. Ellerbe advised he felt this would send a very strong signal to developers to try to find anywhere else to develop but Oxford. Mr. Ellerbe noted as Mr. Perry mentioned there are alternatives to accomplish what he believes is the purpose of the proposed Ordinance.

Mr. Ellerbe advised he felt the City should have environmental impact legislation that has teeth to it noting he felt most of the issues here were with the survey and the definition of a protected tree. Mr. Ellerbe noted he felt those things can be hashed out and he did not think the proposed legislation was appropriate at this time with this iteration of this document. Mr. Ellerbe advised he felt Council should send a strong signal back to the Planning Commission to make this kind of environmental impact a decision standard to buy time to flesh this out and make sure it is appropriate and aligns with the vision of the City without inducing a cost on developers.

Mr. Dana advised there were issues that have to be reconciled with the cost involved on different parties.

Ms. Raghu noted she felt the outstanding issue was that everyone agrees trees should be preserved although maybe not because it might restrict whatever development we foresee doing in the future. Ms. Raghu advised ohio.gov quoted a paper from 2008 that said trees improve home values, tree cover provides up to \$20,000 or 10% in value to residential homes in urban settings. Ms. Raghu noted it was not solely economics, it was not solely the environment or the people it was where they meet in the middle. Ms. Raghu advised she could see how something like this does meet in the middle because Council is reprioritizing and saying this is important. Ms. Raghu noted maybe it was not exactly this iteration although just saying voluntarily protect the trees does not seem to be working.

Mayor Rousmaniere suggested the Environmental Commission review the recommendations from Etta Reed and then meet with Mr. Perry.

Mr. Hand noted the Environmental Commission heard a lot of good suggestions and from Etta Reed in particular. Mr. Hand advised he felt the two acre requirement needed to be discussed as the Environmental Commission considered the acreage long and hard. Mr. Hand noted the trade off is to make those areas large enough that owner occupants are not unduly burdened noting if the areas are too large it is possible to clear cut and then announce development plans. Mr. Hand noted the contiguous areas were included for developments such as Gaslight Avenue at Stewart Square. Mr. Hand advised that development was approximately 10 contiguous parcels none of which were 2 acres and they were owned by the same person. Mr. Hand noted the Environmental Commission was all volunteer and they worked very hard. Mr. Hand advised the Environmental Commission would be happy to work on the proposed language some more although they would like to have the interaction happen faster. Mr. Hand noted it was very frustrating to work on a project and have nothing happen for many months.

Mr. Prytherch advised if trees are to be protected the Ordinance needs to be something staff can work with and administer in a practical way noting Council needed staff input to know what that is. Mr. Prytherch advised he felt Council does not want to create issues that cut too deeply against the affordability issues.

Ms. Southard noted she felt too much time has passed and advised the Environmental Commission has spent an enormous amount of time on this project. Ms. Southard noted at the same time Mr. Perry has stated there are ways that land and entries can be protected. Ms. Southard noted she would like to see exactly how trees can be protected making this proposed Ordinance unnecessary.

Ms. Southard advised she did not want to see this Ordinance tabled noting she would rather see some amendments that would make it feasible and workable. Ms. Southard advised one of the purposes of a first reading was to air those issues. Ms. Southard noted she felt Council should ask for clarification of exactly what exists now that did not exist before and consider the suggestions from Ms. Reed. Ms. Southard inquired how the Ordinance can be crafted in a way Council can pass it responsibly.

Mayor Rousmaniere noted she understood that Ms. Southard does not wish to table the Ordinance and advised if it is not tabled 2 weeks may not be enough time to amend it. Mayor Rousmaniere noted her fear of tabling the Ordinance is that it will be stalled for another 3 years.

Ms. Blankenship noted another option was for Council to table the Ordinance to a date certain.

Mr. Elliott suggested the Ordinance be tabled until April 16 and advised he would work with Mr. Perry and the Environmental Commission on ways to address the concerns raised. Mr. Elliott noted as the Ordinance was written to include private parcels he felt that left the City open to a lawsuit.

Mr. Prytherch advised he felt the Ordinance should only focus on development proposals.

Mr. Ellerbe moved to table the proposed Ordinance until April 16, 2019 at which time Council will continue the First Reading. Mr. Dana seconded. The motion passed 5-1-1 with Ms. Raghu voting any and Ms. Southard abstaining.

ORDINANCE **NEW SECTION 303.08**

An Ordinance Repealing Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption, And Adopting New Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption. (John Jones, Police Chief)

Chief Jones advised Public Safety Assistants have been given authority to boot or impound vehicles and the proposed amendment would remove an unnecessary step of having a Police Officer issue the final authorization to boot or impound a vehicle. Chief Jones noted this amendment will improve the efficiency of this process.

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

Mr. Dana noted he felt the use of PSAs was a very positive step for traffic and parking control.

ORDINANCES **SECOND READING**

ORDINANCE **REPEALING ORDINANCE NO. 3513**

An Ordinance No. 3519 Repealing Ordinance Number 3513 Adopted February 19, 2019. (Sam Perry, Community Development Director)

Mr. Perry advised the Ordinance was being repealed so that Sections that were deleted in error could be reinstated.

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

Mr. Dana moved to adopt Ordinance No. 3519. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW CHAPTER 1145

An Ordinance No 3520 Repealing Oxford Codified Ordinance Chapter 1145 Entitled Planned Developments, And Adopting New Oxford Codified Ordinance Chapter 1145 Entitled Planned Developments To Update The Application Requirements And To Clarify The Comprehensive Plan Goals For Housing Type Diversity And Affordability. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance will add the Sections that were deleted in error last month.

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

Mr. Dana moved to adopt Ordinance No. 3520. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Smith, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public on the City's Deer Management Program noting 5 deer were harvested this year with 3 being donated to the Community Meal Center in Hamilton. Mr. Elliott advised David Treleaven does an excellent job of managing the program.

Mr. Elliott updated Council and the public on the City's Bond Financing project.

Mr. Perry advised the addition for the building at 45 E. High Street was approved by the HAPC.

Mr. Perry noted 12. S. Beech Street should be demolished in the next few weeks.

Mr. Wooddell updated Council and the Public on the Aquatic Center fund raising campaign. Mr. Wooddell noted Butler Rural Electric Cooperative made a generous donation of \$25,000 towards that fundraiser. Mr. Wooddell advised Butler Rural has partnered with the Parks and Recreation Department on several projects.

Ms. Raghu thanked Mr. Hand for speaking this evening on behalf of the Environmental Commission. Ms. Raghu thanked the Environmental Commission for all of their efforts on the Tree Preservation and Protection project.

Mr. Ellerbe noted his hope Thursday would be an un-eventful day in Oxford.

Mr. Ellerbe referred to the Ordinance on this evening's agenda for the Police Division and applauded the Police Division for improving their efficiencies.

Mr. Dana reminded everyone if we are to respect the Comprehensive Plan the proposals that deal with development including requests for zoning changes must be carefully examined for how they will adhere to the direction of the Comprehensive Plan and to the newly adopted Ordinance on housing types and affordability.

Mr. Smith encouraged everyone to act and to drink responsibly on Thursday noting he heard many of the establishments will not open early this year.

Ms. Southard advised the annual Community Walking Challenge was a week long event in which people are encouraged to be healthier and to walk. Ms. Southard noted the kick-off was April 3 at 5:30 p.m. at the Leonard Howell Park. Ms. Southard advised a free skate event would be held at Goggin Arena on March 31 from 1-3 p.m. Ms. Southard noted the Coalition for a Healthy Community was sponsoring both events.

Mr. Prytherch updated Council and the public on the Inter-Jurisdictional Collaboration project he and his students are working on this semester.

Mayor Rousmaniere reminded everyone that guests from Oxford's Sister City of Differdange, Luxembourg would be in Oxford on Friday. Mr. Elliott discussed the schedule of events taking place this weekend with the guests.

Mayor Rousmaniere noted Share-Fest would take place May 15-21 and advised the Buckeye Boys State event was June 9-16.

ADJOURN

Mr. Dana moved to adjourn at 9:47 p.m. Mr. Smith seconded. The motion passed 7-0-0.