A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, April 3, 2012 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Sam Perry, Planner; Mr. Alan Kyger, Economic Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

Mr. Chen introduced Mr. Sam Perry, the City's new Planner, to City Council and the general public.

Mr. Perry noted it was an honor to be here and he looked forward to hearing concerns of Oxford citizens and City Council.

Mayor Keebler congratulated Mr. Perry on his appointment and noted Council looked forward to working with him as well.

PUBLIC COMMENTS

Ms. Charlotte Whitehall, Ohio Alleycat Resource, advised Alleycat Resource was a Cincinnati based organization that maintained a small animal shelter and helped people who trapped feral cats get them spayed or neutered and returned to their environment. Ms. Whitehall noted the organization also spayed and neutered pets and stray cats and performed approximately 9,000 surgeries per year. Ms. Whitehall advised the company offered a monthly service called Neuterville Express which provided low-cost spay and neutering services and would transport cats once a month from the Whistle Stop Drive Thru in Oxford to their clinic and return them the next day. Ms. Whitehall noted she was a Butler County resident and had done animal rescue in the Hamilton and Oxford area for 20 years. Ms. Whitehall advised the company offered special pricing for income restricted residents. Ms. Whitehall noted Neuterville Express usually visited Oxford the second week of each month and more information was available at neutervilleexpress.com.

Mr. Blackburn noted the cats must be in a crate to be picked up and Ms. Whitehall advised that was correct and cardboard crates could be purchased for $5.00 if needed.

Mayor Keebler thanked Ms. Whitehall for providing the information and noted the service was good for the community.

Ms. Bobbe Burke, 722 David Drive, advised Chris Comer would inform Council about an effort he spearheaded and the recognition notification he recently received.

Mr. Chris Comer, 22 S. Campus Avenue, invited Council to the dedication ceremony of Miami's newest Ohio Historical Marker recognizing the historical significance and impact of the Greek community. Mr. Comer noted the ceremony would take place at the Alpha Delta Phi Fraternity House at 22 S. Campus Avenue on April 12, 2012 at 6:00 p.m. Mr. Comer advised this was the first fraternity house in Oxford.

Ms. Diana Durr, Oxford Visitors and Convention Bureau, noted the Alpha Delta Phi Fraternity House would be one of the houses on the tour during Preservation Month in May.

CONSENT AGENDA

MINUTES

Minutes of the March 20, 2012 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the March 20, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the March 21, 2012 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. Bogard moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
CONTRACT WITH REYNOLDS, INC.

A Resolution No. 4670 by the Oxford City Council authorizing the City Manager to enter into an agreement with Reynolds, Inc. for General, Mechanical, Heating and Ventilating improvements at the Wastewater Treatment Plant at a cost of $2,380,000 plus a contingency amount of 7% of the contract price or $166,600 for a total cost not to exceed $2,546,600. (Mike Dreisbach, Service Director)

Mayor Keebler asked Mr. Dreisbach to discuss the Resolution and the next two as they involved the same project.

Mr. Dreisbach discussed his Staff Report as presented on pages 16 and 17 of the agenda packet and addressed questions from Council regarding the proposed improvements at the Wastewater Treatment Plant.

Mayor Keebler and Mr. Elliott discussed how the projects would be funded.

Mr. Snyder moved to adopt Resolution No. 4670. Mr. Harman seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH LAKE ERIE ELECTRIC, INC.

A Resolution No. 4671 by the Oxford City Council authorizing the City Manager to enter into an agreement with Lake Erie Electric, Inc. for Electrical improvements at the Wastewater Treatment Plant at a cost of $228,381 plus a contingency amount of 7% of the contract price or $16,018 for a total cost not to exceed $244,849. (Mike Dreisbach, Service Director)

Mr. Snyder moved to adopt Resolution No. 4671. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH ARCADIS

A Resolution No. 4672 by the Oxford City Council authorizing the City Manager to enter into an agreement with Arcadis U.S., Inc. for Construction Engineering Services for improvements to the Wastewater Treatment Plant at a cost not to exceed $325,000. (Mike Dreisbach, Service Director)

Mr. Dreisbach discussed his staff report as presented on page 52 of the agenda packet and addressed questions from Council regarding the proposed improvements at the Wastewater Treatment Plant.

Mr. Bogard moved to adopt Resolution No. 4672. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
SPEED LIMIT ON US 27

A Resolution No. 4673 requesting the Director of Transportation to review, determine and declare a reasonable and safe prima facie speed limit on U.S. 27 from Chestnut Street to Campus Avenue. (Mike Dreisbach, Service Director)

Mr. Dreisbach discussed his staff report as presented on page 61 of the agenda and noted there had been some unfortunate incidents of vehicles striking pedestrians along US 27 in the last two years. Mr. Dreisbach advised as part of Miami University's Circulation Master Plan they requested the City to conduct a study to evaluate if the speed limit could be reduced on that stretch of roadway. Mr. Dreisbach noted the City's data supported a speed limit below 28 mph.

Mr. Dreisbach advised only the Director of the Ohio Department of Transportation could change the speed limit on state roadways and staff was asking for a Resolution of Council to submit to the Director of the Ohio Department of Transportation.

Mr. Dreisbach addressed questions from Council regarding the initiative to reduce the speed limit on US 27 from Chestnut Street to Campus Avenue.

Ms. Rousmaniere moved to adopt Resolution No. 4673. Mr. Snyder seconded. The motion passed 7-0-0.

RESOLUTION
ALUMNI EVENT

A Resolution No. 4674 authorizing the City Manager to permit the Miami University Alumni Association to hold an Alumni Weekend 2012 'Fun at the Park' event to include the sale of beer and wine from 6:00 p.m. to 10:00 p.m. on Friday, June 15, 2012 in the Oxford Memorial Park. (Doug Elliott, City Manager)

Mr. Elliott advised this request would allow the sale of alcohol in the Uptown Park for the Miami University Alumni event from 6:00 p.m. to 10:00 p.m. which was approved by Council last year. Mr. Elliott referred to the discussion at the last meeting and noted the intent was to keep this event separate from the Music Festival.

Mayor Keebler noted this was a successful event last year and it was good to see the alumni Uptown.

Mr. Harman advised many business owners and citizens appreciated the Alumni Association holding the event Uptown as opposed to on campus. Mr. Harman noted he felt it was nice to include the community and Council appreciated it.

Mr. Blackburn inquired if different alumni groups were going to meet in local establishments as they did last year.

Mr. Ray Mock, Miami University Alumni Association, advised yes, the event would be coordinated like it was last year. Mr. Mock noted the Alumni Association heard from the alumni and much of their Miami experience was closely tied to Uptown and the Oxford community. Mr. Mock advised in response to that, the Alumni Association tried to move more activities to the Uptown area during Alumni Weekend.

Ms. Rousmaniere inquired if there would be music during the event and Mr. Mock advised yes.

Mr. Snyder moved to adopt Resolution No. 4674. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
WAIVE FEES

A Resolution No. 4675 authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors and Convention Bureau for the annual 2012 Summer Music Festival. (Doug Elliott, City Manager)

Mr. Elliott advised every year since 2005 Council had approved waiving the fee for street closures during the Music Festival. Mr. Elliott noted the fee was $135.00 for each event and Ms. Durr provided Council with the Music Festival schedule.

Mayor Keebler advised based on the discussion at the last meeting, the Alumni event on Friday, June 15th may be advertised as a 'Fun at the Park Event' but it would not be advertised as part of the Summer Music Festival.

Mr. McKeehan moved to adopt Resolution No. 4675. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

ORDINANCE
NEW CHAPTER 135

An Ordinance Repealing Oxford Codified Ordinance Chapter 135, Environmental Commission, And Adopting New Oxford Codified Ordinance Chapter 135, Environmental Commission. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the proposed legislation was discussed at the last meeting and there had been no changes since that discussion. Mr. Dreisbach noted the quorum requirement would be changed to a simple majority of members which would be 4 and the Planning Commission representative would be a voting member rather than an ex-officio member.

Mr. Snyder inquired if the Environmental Commission requested the changes and Ms. Rousmaniere advised yes. Ms. Rousmaniere noted the changes would allow the Environmental Commission to be more in line with the other Boards and Commissions.

ORDINANCE
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3171 Amending Ordinance No. 3159. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2012. (Joe Newlin, Finance Director)

Mr. Elliott addressed the purpose for the Supplemental Budget as detailed in the staff report on pages 84 and 85 of the agenda.

Mr. Snyder moved to adopt Ordinance No. 3171. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

DISCUSSION ITEMS

REQUEST FOR USE OF MEMORIAL PARK

Mr. Steve Dana, President of the Board of Trustees, Oxford Community Choice Pantry, referred to pages 88-94 of the agenda and requested approval from Council to sell tickets to a Farm to Table fundraiser for the Oxford Community Choice Pantry in the Memorial Park on June 30, 2012 from 11:00 a.m. to 2:00 p.m. Mr. Dana noted the Oxford Community Choice Pantry in collaboration with the Oxford Farmers Market Uptown were planning the fundraiser and it made sense to overlap the hours of the fundraiser with the Oxford Farmers Market Uptown since it was a highly successful event which drew a lot of people. Mr. Dana referred to Section 729.05 of the Oxford Codified Ordinances which stated express consent of Council was necessary to sell items on municipally-owned or controlled property.

Mr. Harman moved to direct the City Manager to approve the request. Mr. Blackburn seconded. The motion passed 7-0-0.

WATER SERVICE REQUEST

Mr. Elliott advised the Clerk of Council received a letter dated March 19, 2012 requesting City Council to release a parcel on Brown Road from the Oxford water service area. Mr. Elliott noted the parcel was 24.4 acres and was contiguous to the City's corporate boundaries. Mr. Elliott advised staff met with Chris Owens, agent for the property owner and Brian Price from Strait Gate Homes and noted the property owner wanted to divide the parcel into 5 lots for single-family home development and the letter requested the City to allow the Southwest Water District to provide water service to the parcel. Mr. Elliott advised the City had an 8" water main close by and could also provide sanitary sewer services to the parcel although the elevation of the property may not make sanitary sewer service feasible. Mr. Elliott noted his recommendation was to deny the request and advised the City had an agreement with the Southwest Water District which outlined the service area and both entities respected the service area. Mr. Elliott noted he informed the potential developer that the City would require the parcel to be annexed prior to providing City services. Mr. Elliott advised the water service would be extended at the developer's expense. Mr. Elliott noted a lot of issues needed to be reviewed and he would provide additional information at a later date.

Mayor Keebler noted the Planning Commission would be involved with the potential development to see how it would fit into what the concepts were for that area and how it would fit into the Thoroughfare Plan.

ANNOUNCEMENTS

Mr. Elliott noted Councilor Rousmaniere asked him to comment on the amended House Bill 50. Mr. Elliott advised the bill dealt with the expedited type 2 annexation procedure which would prevent a political subdivision from taxing the compensation of persons performing work in the annexed area. Mr. Elliott noted he didn't think any political subdivision would annex territory under the expedited type 2 annexation if HB50 passed. Mr. Elliott advised unless Council directed him otherwise, he would let Representative Derickson know that the City did not favor the bill.

Mr. Bogard inquired if the proposed bill would apply to property already annexed under the expedited type 2 procedure and Mr. Elliott advised no.

Ms. Rousmaniere noted it was her understanding that under the expedited type 2 annexation the real estate tax stayed with the township and Mr. Elliott advised that was correct.

Mr. Bogard inquired if the City could tax earnings by utilizing the normal annexation process and Mr. Elliott advised yes.

Mr. McHugh advised the other types of annexation procedures were extremely cumbersome and approximately 95% of annexations in Ohio occurred under the expedited type 2 process.

Mr. Elliott advised he and Vice Mayor Bogard attended the Butler County Mayors and City Managers meeting in Hamilton last week. Mr. Elliott noted part of the discussion related to the issue of creating a Butler County Land Bank. Mr. Elliott advised the cities of Hamilton and Middletown had a growing number of vacant and abandoned residential and commercial properties and were seeking the City of Oxford's support to create a Butler County Land Bank which they felt would assist them in redeveloping those properties. Mr. Elliott noted the cities of Hamilton and Middletown also felt that redeveloping those properties would benefit the entire county. Mr. Elliott advised he would provide Council with more information on the issue at a later date.

Ms. Brahier, Parks and Recreation Director, congratulated Diana Durr of the Oxford Visitors and Convention Bureau for getting the 2012 Music Festival funded through donations from local businesses and sponsors.

Ms. Brahier reminded everyone that the annual egg hunts would take place Thursday at 9:30 p.m. at the TRI grounds for 4th graders and up and on Saturday at 11:00 a.m. at the Community Park for 3rd graders and under. Ms. Brahier thanked LaRosas, Papa Johns, United Dairy Farmers, McDonalds, the Kiwanis and Bagel and Deli for donations of $3,000 for the events.

Ms. Brahier advised the City would host the Adidas Soccer Showcase Tournament April 13-15 and April 20-22 at the Community Park and noted parking may be limited on those dates.

Ms. Brahier noted concessions would open at the Community Park on April 23rd; the annual Memorial Tree Ceremony would take place at noon on April 27th and April 28th was opening day for Little League and SAY Soccer.

Ms. Eaton noted that Kim Newton would fill in for her at the next meeting as she was attending the Ohio Municipal Clerks Association's Spring Seminar.

Mayor Keebler advised a student group addressed Council a few weeks ago called Feed My Starving Children. Mayor Keebler noted the group was holding an event on April 15th at Millett Hall to pack 100,000 meals to send to starving children around the world. Mayor Keebler advised 500 volunteers were needed to accomplish this task and encouraged those interested to go to www.fundraising.fmsc.org/miamiuniversitymobilepack.

Mayor Keebler complimented Mr. Pete Conrad, Editor of the Oxford Press, for his articles in the paper last week noting a lot of people enjoyed it immensely. Mayor Keebler thanked Mr. Conrad for the kind words he said about City Council. Mayor Keebler encouraged Mr. Conrad to keep up the good work.

Mr. Blackburn advised part of Lions International's plan was to plant one million trees this year and noted he and Mr. McKeehan along with the Oxford and Ross Lions, and men from Kappa Sigma and Sigma Chi planted 5,000 trees at the Fernald Preserve last weekend. Mr. Blackburn noted this showed that Miami students were giving back to the community and that needed to be acknowledged.

Mr. Harman thanked Ms. Brahier and her staff for helping to bring the Adidas Tournament back to Oxford noting it was a huge economic benefit for the community and it took a lot of effort from the Parks and Recreation staff.

Ms. Rousmaniere advised the Oxford Unit of the NAACP's annual Freedom Fund Banquet would take place on Sunday, April 22, 2012 at 5:00 p.m. Ms. Rousmaniere advised she was selling tickets for the event for $40.00 each. Ms. Rousmaniere noted this was the largest fundraiser for the local unit of the NAACP and the majority of the money would be used for scholarships for local high school students.

Ms. Rousmaniere advised on Thursday at 5:00 p.m. an event would take place at the Phi Delta gates where students and community members would march and form a human chain to remind the community of 'One Humanity'. Ms. Rousmaniere noted the event was planned as a result of two gay men being accosted on Saturday night in Oxford and members of the student community and the Oxford community were very upset about it and wanted to make a statement.

Mr. Bogard commended the Parks and Recreation Department and the Service Department for their efforts in making the City and the City Parks look beautiful this spring.

Mayor Keebler reminded Council that staff was working on ways to address the issue of sales on municipal property.

ADJOURN

Mr. Bogard moved to adjourn at 8:35 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.