A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, April 2 , 2013 at 7:00 p.m. Those members present were Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder. Ken Bogard was excused.

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

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(2) for the purpose of discussing property acquisition. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Snyder moved to return from Executive Session at 7:40 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Harman moved to approve the agenda. Mr. McKeehan seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PRESENTATION
OXFORD KINETICS FESTIVAL

Ms. Kate Currie, 420 W. Vine Street, advised she and her Co-Chair, Rod Northcutt, would provide a brief history of the Oxford Kinetics Festival and plans for future festivals. Ms. Currie noted this year the Oxford Kinetics Festival would take place on Sunday, April 7, 2013 in front of Millett Hall from 12:00 to 4:00 p.m.

Ms. Currie noted the first Oxford Kinetics Festival took place in 2010 as part of the City's Bicentennial celebration with 12-15 people participating in the race on High Street and approximately 40 spectators on the sidewalk. Ms. Currie advised she received so much positive feedback about the event that she contacted Mr. Northcutt and others who looked at similar events around the country. Ms. Currie noted over 700 people attended the festival last year and she expected 1,200 people to attend this year.

Mr. Rod Northcutt, advised Oxford's festival was not an isolated event, and noted Kinetics races and festivals had been going on for over 40 years. Mr. Northcutt shared information about some of the larger Kinetic events that took place in California, Nevada, and Oregon. Mr. Northcutt noted the events attracted a lot of people who brought business and energy to the various towns. Mr. Northcutt advised people built contraptions to enter in the races and the only rule was that they had to be human powered. Mr. Northcutt noted he was a Professor of Sculpture at Miami and he opened up his studio to host free workshops on building contraptions for Oxford's event with the assistance of Talawanda students, Miami students and community members. Mr. Northcutt advised bicycles were donated from the City of Oxford's impound lot, Miami's impound lot and from Wal-Mart and noted the ones that were not worth much at auction were the ones they wanted to build the contraptions. Ms. Currie advised 20 bicycles were donated to Talawanda High School where Jim McWilliams worked with high school students to build entries as well.

Ms. Currie described the various activities for kids that would take place during the event and noted the goal was to facilitate art interactions between children and parents. Ms. Currie noted the main focus of the event was the Scramble which was Oxford's version of a race where the object was not to finish first, but to ride around the concourse in front of Millett Hall for 45 minutes stopping at 5 different stations along the concourse to perform a variety of tasks. Ms. Currie noted Millett Hall was a perfect place to hold the event as if it rained the participants could move inside, there was room to grow, and there was ample parking. Ms. Currie advised the event organizers wanted to add more Workshops during the festival and by 2015 turn it into a 2 day event. Ms. Currie noted the event was supported by the Oxford Community Arts Center, the Oxford Community Foundation, the Oxford Visitors Bureau, the Talawanda School District, Miami University and many community members. Ms. Currie invited everyone to come and share in the event.

Mayor Keebler noted the Kinetics Festival was a great event for people of all ages and encouraged everyone to participate.

PUBLIC COMMENTS

Mr. David Brown, Butler County Auditors Office, noted it was always a pleasure to be in Oxford. Mr. Brown reminded those turning 65 years of age this year to file Homestead Exemption documents with the Auditor's office by June 3, 2013 to receive savings on their tax bill for the first $25,000 of value on their home. Mr. Brown noted the average savings across the county was $650.00.

Mr. Brown advised settlements would be out by April 10, 2013 for mobile homes and real estate for the first half. Mr. Brown noted tax settlements were very comparable this first half to the last first half.

Mr. Brown advised the treasurer certified a total of $231,747,000.00 across the county for values which was $650,000.00 higher than last year's first half. Mr. Brown noted the funds would be wired to local governments by April 10, 2013.

Mr. Brown advised many local governments were anticipating placing levies on the ballot this year and noted May 8th was the deadline for submission to the Board of Elections for the August election and the November deadline was August 7th. Mr. Brown encouraged local governments to submit their information in early to mid June for the November election.

Mr. Brown advised the Auditor's office finished the Board of Revision Filing process and noted if the forms were postmarked by April 1st they would still be processed.

CONSENT AGENDA

MINUTES

Minutes of the March 19, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the March 6, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the March 12, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION
CONTRACT WITH
GERMAIN FORD

A Resolution No. 4733 authorizing the City Manager to enter into a contract with Germain Ford of Columbus, Ohio, for the purchase of a 2013 Police Interceptor SUV and specified installed options at state contract pricing at a cost not to exceed $39,466.00. (John Detherage, Fire Chief)

Mr. Snyder moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
DONATION AGREEMENT

A Resolution No. 4734 of Council authorizing the City Manager to enter into a Donation Agreement with Mydears, Inc. (Doug Elliott, City Manager)

Mr. Elliott advised the owner of the property located at 5228 Hester Road, the former Dairy Queen property, offered to donate the property to the City of Oxford.

Mr. Elliott noted the donation would remedy the ongoing nuisance issues related to the property and it would settle the Butler County Common Pleas court case the City filed against the property owner and the subsequent counter claim filed by the property owner.

Mr. McKeehan expressed his displeasure with the owner for field stripping the building prior to the agreement being completed. Mr. McKeehan noted the property owner had done nothing with the property for years and was now taking anything of value.

Mr. Elliott advised the City's plan was to demolish the structure once the title was received and any back taxes were paid. Mr. Elliott noted the more the property owner took from the property the less the City would have to dispose of. Ms. Rousmaniere inquired if the pavement would be removed and Mr. Elliott advised yes, and noted the property would be modestly restored with landscaping. Mr. Elliott referred to page 32 of the agenda and added that if the City sold the property in the future the proceeds after the cost of restoration would be donated to a local charitable organization.

Mr. Harman moved to adopt Resolution No. 4734. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
INFORMATION SHARING
AGREEMENT

A Resolution No. 4735 authorizing the City Manager to enter into an information sharing agreement with the Miami University Police Department to enhance the ability to effectively address alleged sex offenses and offenses of violence. (Bob Holzworth, Police Chief)

Chief Holzworth advised the proposed agreement was drafted by Robin Parker, General Counsel for Miami University and it was reviewed and approved by Mr. McHugh. Chief Holzworth noted the agreement would formalize the ongoing exchange of information between the City and Miami University and would not change anything operationally.

Mr. Snyder noted he felt this was a very positive step in the collaborative efforts between the Oxford Police Department and the Miami University Police Department.

Mr. Blackburn advised he felt this agreement was needed to allow the conversations to take place.

Mr. Snyder moved to adopt Resolution No. 4735. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION
PARTICIPATION AGREEMENT

A Resolution No. 4736 authorizing the City Manager to enter into an agreement to participate in the Butler County Regional Water Rescue Task Force. (John Detherage, Fire Chief)

Chief Detherage advised the proposed agreement was another effort for the Butler County Fire Departments to maximize manpower and save money on equipment. Chief Detherage noted some equipment would be brought to this area of the county that currently was not here and the Oxford Fire Department would be responsible for taking that equipment to a water emergency where they would meet trained rescuers and help perform the rescue.

Mayor Keebler advised he believed shared services was the wave of the future and should have started a long time ago. Mayor Keebler noted concern with manpower as the OFD only had 4 people on duty at a time and a dwindling contingent of part-time volunteers. Mayor Keebler noted it appeared that OFD was a lead agency. Mayor Keebler inquired where there was room for any more equipment to be stored.

Chief Detherage advised the equipment would be stored in an enclosed trailer in the parking lot at the fire station and when needed it would be hooked up to a vehicle and driven to a potential emergency. Chief Detherage advised the Butler County Technical Rescue Team provided manpower from several departments in the county which were not listed in the agreement.

Mr. McKeehan inquired what kind of equipment would be stored in Oxford and Chief Detherage advised most likely a boat. Chief Detherage noted the OFD already had ice rescue suits and life jackets.

Mr. Snyder moved to adopt Resolution No. 4736. Ms. Rousmaniere seconded. The motion passed 6-0-0.

RESOLUTION
INVESTMENT MANAGEMENT

A Resolution No. 4737 authorizing the City Manager and the Finance Director to contract with Baird Public Investment Advisors for the management of the City's investable funds. (Joe Newlin, Finance Director)

Mr. Newlin advised the City's current contract for investment services would expire in late April and a Request for Qualification was sent out with 11 proposals being received. Mr. Newlin noted he and the Assistant Finance Director reviewed and rated each proposal and presented their findings to the Investment Committee who determined Baird Public Investment Advisors to be the best candidate. Mr. Newlin advised the monthly fee would be computed based on 8 basis points and Baird would pay the custodial fee to US Bank which was a savings of $4,000.00 annually.

Mr. McKeehan moved to adopt Resolution No. 4737. Mr. Blackburn seconded. The motion passed 6-0-0.

**RESOLUTION
CONTRACT WITH
CINCINNATI BELL**

A Resolution No. 4738 accepting the proposal and authorizing the City Manager to enter into a five (5) year contract with Cincinnati Bell to provide internet access and local and long distance telephone service to the City building and seven (7) remote sites. (Kim Newton, Assistant to the City Manager)

Mr. Elliott advised Request for Proposals were sent to several vendors to provide internet access and local and long distance telephone service to the City Building and 7 remote sites. Mr. Elliott noted three proposals were received and of the three, Cincinnati Bell provided the best and lowest proposal at a total estimated monthly cost of $4,632.00. Mr. Elliott advised the Cincinnati Bell proposal was for a 5 year contract at $55,584 per year and the bandwidth would increase from 1.5 Mbps to 3.0 Mbps. Mr. Elliott noted Cincinnati Bell was the current provider and the new proposal lowered the City's cost and increased the bandwidth. Mr. Elliott advised the current contract expired at the end of the month.

Mr. Douglas Pritchard, Frontier Communications, noted Frontier Communications was the City's local telephone company. Mr. Pritchard advised Frontier Communications would like to be considered prior to Council making their final decision on its internet and telephone service provider. Mr. Pritchard noted Frontier realized they were slightly higher in the bid costs that were submitted but felt Council should take into consideration that since they took over this area they installed over three million dollars in network assets, services and lines throughout the community. Mr. Pritchard advised Frontier provided the direct access between the chosen provider and their ability to service the City of Oxford. Mr. Pritchard noted Frontier was the only provider with hardware in the community and they had been maintaining and servicing those connections to the City's buildings ever since they came into the community. Mr. Pritchard advised Frontier had personnel in Oxford and they had been paying taxes to the community and would welcome the opportunity to support the City of Oxford. Mr. Pritchard introduced Mr. John Campbell who was in the audience and noted he was the Technical Supervisor who was constantly in Oxford making sure the technicians were responding to the service calls made in Oxford. Mr. Pritchard advised Frontier installed the most state of the art technology available into the community to service their customers. Mr. Pritchard noted Frontier had a large commitment and plans for Oxford and they would like to reclaim some of the opportunities that were lost during the transitions and when Verizon was in place. Mr. Pritchard advised Frontier was a 5 billion dollar publically traded company located in 35 states and they were designed for servicing smaller communities like Oxford. Mr. Pritchard noted his hope Council would consider the facts he presented, the investments Frontier had made in the community and the fact that their technicians were in Oxford 24 hours a day 7 days a week to service the City's needs. Mr. Pritchard noted he felt Frontier was the best choice for the City's services and advised regardless of which provider was selected Frontier offered their continued commitment to Oxford, the businesses and the residences.

Mr. Elliott advised there was no question that Frontier was a great company to have in the community. Mr. Elliott noted as City Manager, his responsibility was to the taxpayers of the City of Oxford. Mr. Elliott advised Frontier's bid was a little over $2,000.00 more per year than the Cincinnati Bell bid which over 5 years was $10,000.00. Mr. Elliott noted the City's purchasing policy did not have a provision to accept a bid based on the other factors presented tonight. Mr. Elliott advised these decisions were difficult and Frontier had supported the Wine Festival in Oxford which was a community event. Mr. Elliott noted Cincinnati Bell was the current provider and the City had no issues with their service.

Mayor Keebler noted with telecommunications today there was typically no single agency serving a community. Mayor Keebler advised someone owned some of the different lines that everyone was renting. Mayor Keebler noted Cincinnati Bell was a primary provider of certain lines coming into town. Mayor Keebler reiterated that the proposal process was utilized and it did not have provisions for certain percentages, etc.

Mr. Harman noted Council often tried to take care of the local businesses. Mr. Harman suggested the possibility of adding additional criteria to the proposal process. Mr. Harman disagreed with rejecting a proposal from a local company due to a monthly difference of less than $200.00 per month. Mr. Harman encouraged Council to watch out for the local businesses who contributed to the City and took part in what was going on.

Mayor Keebler noted he spent 18 years at the university doing this type of work. Mayor Keebler advised once changes were made to the competitive aspect of the bid process and how decisions were to be made, and what was to be considered, awarding a contract simply by presence was very tough to do.

Mr. Harman moved to adopt Resolution No. 4738. Mr. McKeehan seconded. The motion passed 5-1-0 with Mr. Harman voting nay.

CONTRACT WITH CENTURY EQUIPMENT

A Resolution No. 4739 authorizing the City Manager to enter into a contract with Century Equipment Co. for the purchase of a Toro Groundsmaster 5900 mower Model No. 31598 at state contract pricing at a cost not to exceed $72,000.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the current mower was the primary maintenance machine at the Community Park and had been in service approximately 10 years. Mr. Dreisbach noted it was critical to keep the machine running so the grounds could be maintained appropriately and effectively. Mr. Dreisbach advised the mower had a 16 foot cutting width, could mow over 12 acres per hour and had saved the City over $100,000 since it had been in service. Mr. Dreisbach noted staff was requesting a replacement mower at this time which would be purchased at state contract pricing.

Mr. Snyder inquired what would happen to the mower being replaced. Mr. Dreisbach noted the mower would be retained as it did not need substantial repairs at this time. Mr. Dreisbach advised it could be used during rainy periods so the mowing could be done effectively and it may be used at the Leonard Howell Park to save 5 hours of manpower to maintain that property.

Mr. Snyder moved to adopt Resolution No. 4739. Ms. Rousmaniere seconded. The motion passed 6-0-0.

RESOLUTION
CONTRACT WITH
ADVANCED CONCEPTS, INC.

A Resolution No. 4740 accepting the bid and authorizing the City Manager to enter into a contract with Advanced Concepts, Inc. for the replacement of rood and gutter systems at the Water Treatment Plant and Water Distribution Maintenance facilities at a cost of $91,761.00 plus a contingency amount of ten percent (10%) of the contract price or $9,176.00 for a total cost not to exceed $100,937.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this project may look familiar to Council as they voted on it last summer. Mr. Dreisbach noted the contractor this job was awarded to originally had to be dismissed by the City. Mr. Dreisbach advised the project was re-advertised this year and 5 bids were received verses 2 previously and the City obtained more attractive pricing as well. Mr. Dreisbach noted reference checks on the proposed contractor were done with favorable results. Mr. Dreisbach advised he looked forward to assigning this project and having the work done this summer.

Mayor Keebler inquired if the bonding company was notified that the original contractor failed to perform and Mr. Dreisbach advised yes.

Mr. McKeehan moved to adopt Resolution No. 4740. Ms. Rousmaniere seconded. The motion passed 6-0-0.

RESOLUTION
NON-COMMISSIONED PD
EMPLOYEES CONTRACT

A Resolution No. 4741 approving the contract between the City of Oxford, Ohio, and the Non-Commissioned Police Department employees and authorizing the City Manager and the City Law Director to sign the contract on behalf of the City. (Bob Holzworth, Police Chief)

Chief Holzworth advised the proposed contract was the result of 3 sessions with the parties involved and was agreed upon with minor changes. Chief Holzworth noted an overtime issue was clarified, and the hourly rates were increased to correspond with other members of the work force. Chief Holzworth advised the contract contained a re-opener in 5 months if the employees chose to do so.

Mr. Harman congratulated Chief Holzworth for the successful negotiation process.

Mr. Blackburn moved to adopt Resolution No. 4741. Ms. Rousmaniere seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTION 1143.11

An Ordinance Repealing Oxford Codified Ordinance Section 1143.11 Entitled MU University District, And Adopting New Oxford Codified Ordinance Section 1143.11 Entitled MU University District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised when the zoning code was updated in 2003 a University District was created and the few remaining privately owned properties did not have zoning code provisions the same as other districts. Mr. Chen noted the proposed Ordinance would add site development regulations to the University District that would pertain to the privately owned properties. Mr. Chen advised the list of Conditional Uses would also be added as shown on pages 90 and 91 of the agenda packet.

Mayor Keebler advised there were sections of the code where typical set backs and conditional uses were not established for this district when it was adopted. Mayor Keebler noted the proposed basic set backs, lot coverage, etc. were the same as the R1 District. Mayor Keebler advised there were 9 properties in the University District at this time that would benefit from this criteria and the proposed language would not create any nonconforming uses for those properties. Mayor Keebler noted the proposed language would set guidelines for someone wishing to add on to their property.

Mr. Chen advised this issue was discussed during a Joint Work Session of the Planning Commission and Council and it was an item they both wanted to see corrected.

ORDINANCE
AMENDING SECTION 1139.02

An Ordinance Amending Oxford Codified Ordinance Section 1139.02 Entitled Procedure. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the only proposed change to this section of the zoning code appeared on page 104 of the agenda packet and would allow a variance petition to be re-filed after a period of one year. Mr. Chen noted the proposed language was consistent with other sections of the code.

Mayor Keebler noted both proposed Ordinances would move to second reading at the next meeting.

ANNOUNCEMENTS

Mr. Elliott advised the City of Oxford achieved a recycling rate of 20.5% and was the only community that received that high of a rating from the Butler County Recycling and Solid Waste District. Mr. Elliott congratulated the City of Oxford and the residents who participated in the recycling program.

Mr. Elliott advised the City received a thank you note from the Community Meal Center and noted the City's Deer Management Program concluded with 25 deer being taken. Mr. Elliott advised 15 deer were donated to the Community Meal Center which was 820 pounds of venison that the recipients greatly appreciated.

Mr. Elliott noted the City maintained a fleet of various vehicles utilized to provide services to the citizens of Oxford. Mr. Elliott advised he charged the Department Heads to find ways to improve the City's fuel economy and to conserve fuel. Mr. Elliott noted since the cost for fuel would undoubtedly continue to rise it was important to look for new ways to make the City's fleet more fuel efficient.

Mr. Elliott advised he met with Representative Tim Derickson and provided him a copy of the Resolution Council adopted in opposition to HB5 and in support of the 21 provisions of the Dayton Area Tax Uniformity Coalition and the Ohio Municipal League. Mr. Elliott noted those provisions would achieve income tax uniformity and they were revenue neutral. Mr. Elliott advised he felt Mr. Derickson understood the City's position better and noted his hope Mr. Derickson would support the local governments on this issue.

Chief Holzworth advised Google Public Alerts joined with Nixle (the City's emergency broadcast system) and encouraged those who did not already receive the alerts to sign up on the City's website free of charge to receive valuable public safety information.

Mr. Kyger advised the Oxford TJ Maxx store was scheduled to open on April 14th. Mr. Kyger noted this was at least a million dollar renovation project. Mr. Kyger advised the Planning Commission would consider the former Wal-Mart site redevelopment project at their May meeting.

Mayor Keebler advised he had the privilege of being invited to the City of Hamilton's commemoration of the 100th anniversary of the 1913 Flood and to accept on behalf of the citizens of Oxford a Proclamation from the Mayor of Hamilton in thanks for the response of the citizens of Oxford in 1913. Mayor Keebler noted the disaster relief for the Flood of 1913 came from the people and the neighbors, not the government. Mayor Keebler advised supplies came from as far away as Grand Rapids Michigan as the word got out. Mayor Keebler noted the citizens of Oxford, and Miami University students were instrumental in the relief efforts as were the cities of Cincinnati, Glendale and Richmond who also received the Proclamation. Mayor Keebler read the Proclamation which was signed by Pat Moeller, Mayor of Hamilton, Ohio.

Mayor Keebler noted the City of Oxford relied on its Boards and Commissions and advised Council needed to fill vacancies on the following Boards and Commissions effective July 1, 2013:

Board of Appeals (Building and Housing) – 5 year term
Board of Zoning Appeals – 3 year tern
Civil Service Commission – 3 year term
Community Relations Commission – 3 year term
Environmental Commission – 4 year term
Housing Advisory Commission – 4 year term
Income Tax Board of Review – 3 year term
Planning Commission – 5 year term
Recreation Board – 3 year term
Student Community Relations Commission – 3 year term

Mayor Keebler encouraged citizens to apply and noted applications were available at www.cityofoxford.org or at the City Building. Mayor Keebler noted citizens could apply for more than one Board or Commission on the same application.

Ms. Rousmaniere noted two members of the Oxford League of Women Voters, a nonpartisan civic engagement group also spoke to Mr. Derickson and expressed their concerns with HB5 and its effect on local governments.

Ms. Rousmaniere advised the Oxford Unit of the NAACP would hold its annual Freedom Fund Banquet on Sunday, April 21, 2013 and she was selling tickets which were $45.00 each. Ms. Rousmaniere noted the event would take place at the Shriver Center and Yvette Simpson, Attorney at Law, former Miami University faculty member, and a City Councilor in Cincinnati would be the speaker. Ms. Rousmaniere advised all proceeds from the event would go to scholarships for Oxford students. Ms. Rousmaniere noted people interested in attending the event could contact her for tickets.

ADJOURN

Mr. Snyder moved to adjourn at 8:36 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.