

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, April 2, 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. 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

“ANNUAL FREEDOM FUND BANQUET”

Mayor Rousmaniere read the Proclamation and presented it to Mrs. Fran Jackson.

Ms. Fran Jackson, President, Oxford Unit NAACP, thanked Council for the Proclamation on behalf of the Oxford Unit NAACP noting the Proclamation celebrated the annual Freedom Fund Banquet. Ms. Jackson advised this was the only fundraiser that finances scholarships for graduating seniors from the local high school. Ms. Jackson noted the NAACP is the oldest and most impactful civil rights organization in the United States and advised the Oxford Unit is committed to the NAACP mission and the NAACP 6 Game Changer areas. Ms. Jackson noted those areas consisted of economic stability, education, health, criminal justice, civic engagement and youth engagement. Ms. Jackson advised the Oxford Unit has been very active in trying to carry out a lot of activities in these areas. Ms. Jackson noted members of the NAACP are part of T-CAPE (Talawanda Community Advocacy for Public Education) which was created by the Talawanda School District Diversity and Equity Committee. Ms. Jackson noted the NAACP joined the League of Women Voters in the campaign of petition circulating and gathering endorsements to put an issue on the ballot to end gerrymandering in the State of Ohio. Ms. Jackson advised the issue passed in the May 2018 primary election and will be implemented after the 2020 census. Ms. Jackson noted the Oxford NAACP has participated in Miami University's Inclusion Festival and has been supportive of Miami students who struggle with issues of justice and equality on campus. Ms. Jackson advised members have participated in the Oxford Public Vigil and program following the hate crimes at the synagogue in Pittsburgh where 11 people were murdered. Ms. Jackson noted the NAACP joined the reactivated campaign led by the OCPJ of public education and lobbying the school board officials to change the race Indian based Talawanda High School Mascot noting in a close vote at the School Board meeting the name of the mascot changed. Ms. Jackson advised in the past Oxford has been listed nationally as one of the best cities to live in and the NAACP would like to see it remain that way.

Ms. Jackson noted Oxford faces and will continue to face racial inequality and injustice issues with the surge of hate and bullying in this community. Ms. Jackson advised the Oxford NAACP is committed to confronting these issues and encourages all citizens of Oxford to demonstrate in their actions that they respect one another and support equality regardless of race, color, gender, sexual orientation, disabilities, economic status, religion or other differences. Ms. Jackson stated “let’s make Oxford an example of diversity, inclusiveness, tolerance, honor, dignity and respect for one another.”

Mayor Rousmaniere thanked Ms. Jackson and the NAACP for all of their good work.

PROCLAMATION
“EDUCATION & SHARING DAY OXFORD”

Mayor Rousmaniere read the Proclamation and presented it to Rabbi Yossi Greenberg.

Rabbi Greenberg, advised it was his honor to accept the proclamation for the second year in a row as we are approaching Rabbi Menachem Schneerson’s birthday on April 16th. Rabbi Greenberg advised Rabbi Menachem Schneerson dedicated his entire life to the betterment of mankind and tirelessly advocated for a better education for all Americans.

Rabbi Greenberg thanked the Oxford community for supporting the Jewish community after the tragedy in Pittsburgh noting the support was more than the Jewish community would ever have expected. Rabbi Greenberg advised we should never have such opportunities to expect such support but when the Jewish community needs support they know they have it.

Mayor Rousmaniere and members of Council thanked Rabbi Greenberg for all of his work in the community.

PROCLAMATION
“OAGE & OXFORD-FOR-ALL-AGES DAY”

Mayor Rousmaniere read the Proclamation and presented it to Ms. Ann Whelpton.

Ms. Ann Whelpton, thanked Council and City staff for the Proclamation noting it came in conjunction with the Ohio Association of Gerontology and Education conference. Ms. Whelpton advised 225 visitors were coming to Oxford on Thursday and Friday from universities with aging services across the state and from out of state. Ms. Whelpton noted representatives from four other age friendly communities would also participate in the conference. Ms. Whelpton advised community members have been included in a number of the events. Ms. Whelpton noted she felt the Proclamation was a way to thank Miami University and the Scripps Gerontology Center for hosting the annual conference in Oxford. Ms. Whelpton thanked Council for adopting a Resolution in late 2017 that allowed the Oxford community to enter the age friendly network and start the Age Friendly Oxford initiative. Ms. Whelpton advised Oxford was in year 2 of the 5 year initiative noting the needs assessment survey was done and advised the final report was being edited and would be shared with the committees on May 2. Ms. Whelpton noted the group would figure out how to share that information with the community to form a basis of some goals for the community for the next 3 years.

Ms. Whelpton advised Council's collaborative actions have allowed the work of many volunteers and many citizens of all ages to continue this work on behalf of people of all ages in Oxford.

Mayor Rousmaniere and members of Council thanked Ms. Whelpton for her good work in the community.

REQUEST FOR USE OF PARK **COALITION FOR A HEALTHY COMMUNITY**

Ms. Sharon Klein, Coalition for a Healthy Community, noted she could not believe this was the 5th year she has made the request to have the "Yoga in the Park" event every Saturday from June to September 2019. Ms. Klein advised the event has grown each year and averages 40-45 people each weekend. Ms. Klein noted there would be alternate sites when Yoga in the Park could not be held Uptown due to other scheduled events.

Mayor Rousmaniere advised she felt this was a great event noting it would take place every Saturday from June 8th to September 28th.

Ms. Southard moved to approve the use of the Uptown Park for the Yoga in the Park event 2019.
Mr. Ellerbe seconded. The motion passed 7-0-0.

Ms. Klein reminded everyone of the Community Walking Challenge beginning Wednesday, April 3 through Tuesday, April 9th and invited everyone to the kickoff at the Leonard Howell Park on Wednesday at 5:30 p.m. Ms. Macechko with the Coalition for a Healthy Community provided Council and staff with "Rox" pedometers to use during the event.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the March 19, 2019 City Council Meeting (Mary Ann Eaton, Clerk of Council)

RESOLUTION **SURPLUS PROPERTY**

A Resolution No. 7054 declaring certain City property no longer needed for any municipal purpose as surplus and authorizing its advertisement and sale to the highest bidder at public auction or internet auction. (John Jones, Police Chief)

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

RESOLUTIONS

RESOLUTION **CONTRACT WITH** **BEARCAT CONSTRUCTION, INC.**

A Resolution No. 7055 accepting the bid and authorizing the City Manager to enter into a contract with Bearcat Construction, Inc. for the installation of handicap ramps with tactile dome mats as set forth on Exhibit "A" attached hereto at a cost of \$89,645.00 plus a contingency in the amount of \$6,676.00 for a total cost not to exceed \$96,321.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was a 100% federally funded program noting as proposed it will provide for the construction of handicap ramps with tactile dome mats for 13 intersections within the City. Mr. Dreisbach noted the project will pay for approximately 850 feet of new curb and gutter, over 4,000 feet of new sidewalk and 61 new ramps. Mr. Dreisbach advised 6 bids were received noting the lowest and best bid was provided by Bearcat Construction. Mr. Dreisbach advised staff recommends Council approve a contract with Bearcat Construction for this project.

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

Mr. Dana inquired how the tactile detection mat works. Mr. Dreisbach advised the mat was imbedded in the concrete at the ramp so a sight impaired person using a cane will feel the domes on the mat and know they are entering an intersection. Mr. Dreisbach noted a person with limited vision would be able to see the contrasting colored mat and advised it was an alert system to let people know they are entering traffic.

Ms. Southard inquired if there would be more ramps to install after this project and Mr. Dreisbach advised there would be many more to install in the mile square.

Mr. Smith moved to adopt Resolution No. 7055. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION **CONTRACT WITH** **BARRETT PAVING MATERIALS, INC.**

A Resolution No. 7056 accepting the bid and authorizing the City Manager to enter into an agreement with Barrett Paving Materials, Inc. for the 2019 street resurfacing and maintenance work at a cost of \$419,969.50 plus a contingency amount of \$29,800.00 for a total cost not to exceed \$449,769.50. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was the City's summer paving program noting the streets proposed were listed on Exhibit "A" (page 39 of Council's packet). Mr. Dreisbach noted much of the money this year would be going towards Campus Avenue which is in need of base repairs in addition to resurfacing. Mr. Dreisbach advised the project pays for resurfacing, base repairs and also for traffic markings and raised pavement reflectors that are installed in conjunction with the program. Mr. Dreisbach noted the paving list was compared with the Corridor Safety Improvement Plan to see what improvements could be implemented with the paving program.

Mr. Dreisbach advised sharrow bicycle markings would be installed on Walnut Street noting the plan called for an oversized sidewalk on Campus Avenue and advised unfortunately that was not funded at this time. Mr. Dreisbach noted Miami University was looking at significant resources to improve pedestrian safety on High Street between Patterson Avenue and Campus Avenue. Mr. Dreisbach advised this paving program would not be impacted should the City fund that project in the future. Mr. Dreisbach noted rapid flash beacons would be installed in the vicinity of the middle school at 732 and Dana Drive and on Fairfield Road at the Community Park. Mr. Dreisbach advised Barrett Paving was the lowest bidder noting they were an excellent contractor and recommended Council approve the proposed Resolution.

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

Mr. Dana noted he was pleased to hear the rapid flash beacons would be installed.

Mr. Dreisbach advised mobile radar display units were placed on Chestnut Street and on Fairfield Road noting those would be rotated in targeted enforcement zones working with the Police Division to remind drivers of their speed in critical areas.

Mr. Prytherch noted Walnut Street was a good east west corridor noting the sharrows will not solve all of the problems but it is a great opportunity. Mr. Prytherch inquired if staff ever looked at the possibility of having 4 way stops on Walnut Street. Mr. Dreisbach advised the most common criticism staff receives is in regard to the difficulty at Walnut and Main Streets which staff has studied and the intersection does not meet a warrant for a signal or a stop sign. Mr. Dreisbach noted staff was re-evaluating the yellow zones for sight distance at all of the intersections along Main Street and may request to make some adjustments this summer.

Mayor Rousmaniere inquired if the sidewalks on the east side of Campus Avenue on Miami's campus were Miami University's responsibility and Mr. Dreisbach advised yes. Mayor Rousmaniere inquired if Miami has been asked to widen the sidewalks. Mr. Dreisbach noted it has been discussed and staff has asked them to make repairs in the meantime. Mr. Dreisbach reiterated that Miami was focused on safety improvements on High Street.

Mr. Ellerbe inquired if the base layer on Chestnut Street would be a standard re-paving or if it would be a newer technology that might provide a longer service life. Mr. Dreisbach advised the surface course would be removed and the road would be milled down 8 inches. Mr. Dreisbach noted that would be filled with solid asphalt and then a new surface course would be placed over it.

Mr. Smith moved to adopt Resolution No. 7056. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
PROPERTY & CASUALTY
INSURANCE 2019

A Resolution No. 7057 accepting the bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2019. (Joe Newlin, Finance Director)

Mr. Newlin advised this was the City's annual property and casualty insurance renewal noting the overall price increased \$4,041 due to the addition of several employees, increase in property values and vehicle values including a new \$500,000 pumper tanker.

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

Mr. Prytherch noted he was surprised for as much as the City did last year including the renovation of the former Lane Library that the insurance increase was minimal. Mr. Newlin advised building cost was very small noting the number of employees makes a larger impact on insurance costs.

Mr. Smith moved to adopt Resolution No. 7057. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
LICENSE AGREEMENT

A Resolution No. 7058 authorizing the City Manager to approve the assignment of a license agreement for property located at 338 N. Locust Street Oxford, Ohio. (Sam Perry, Community Development Director)

Ms. Raghu recused herself.

Mr. Perry advised this issue was raised as a result of an inquiry for a minor construction project for Ms. Raghu and Mr. Reagh at 338 N. Locust Street. Mr. Perry noted staff and the applicants discovered there was a previous license agreement for the use of the alley right-of-way for private parking. Mr. Perry advised an agreement was made with previous owners that had not been carried through with the latest purchase of the property. Mr. Perry noted the purpose of this Resolution is to retroactively assign the agreement to the current owners.

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

Mr. Prytherch advised the right-of-way not an alley. Mr. Perry noted instead of vacating the right-of-way the City entered into a license agreement with the Oxford Community Foundation when they owned the property.

Mr. Dana moved to adopt Resolution No. 7058. Ms. Southard seconded. The motion passed 6-0-0.

RESOLUTION
OPPOSING HB 27

A Resolution No. 7059 of Oxford City Council opposing Ohio House Bill 27 and urging Senator Coley and Representative Keller to oppose House Bill 27. (Steve Dana, Councilor)

Mr. Dana read part of the Resolution as follows: "Ohio House Bill 27 would virtually eliminate sovereign immunity for emergency responders in the event of an accidental motor vehicle collision involving any emergency vehicle responding to an emergency. The bill would include police, fire and emergency medical services. This bill as drafted would only grant sovereign immunity in the event of a police chase, where the police officer operating the emergency vehicle collided with a vehicle operated by someone attempting to flee from law enforcement. This substantially narrower provision for liability defense would impede the ability of first responders to safely, quickly and efficiently execute their duties. The constant threat of lawsuits for negligence creates barriers preventing immediate action in response to an emergency. Removing liability defense for first responders will substantially increase litigation costs for each city and village. Local taxpayers would be responsible for paying for the costs of litigation, as well as claims paid by the municipality." Mr. Dana advised people could go online to see the testimony that has been given on this issue by the Ohio Municipal League. Mr. Dana reiterated that the bill as written would virtually eliminate sovereign immunity for political subdivisions except in the case of a motor vehicle collision that occurs during a police car chase. Mr. Dana noted he felt what was being proposed was dangerous and advised if someone were to go to Columbus from this jurisdiction to be a presence in opposition to this bill he would go because he felt the impact on the police and fire departments is deleterious in the highest degree.

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

Ms. Southard inquired when the bill would be voted on and Mr. Dana advised it had been through a third hearing.

Mr. Ellerbe inquired if this would supersede the existing laws. Ms. Blankenship advised that section of the Ohio Revised Code is referred to as the political subdivision tort liability act and noted the proposed HB 27 amends that act. Ms. Blankenship advised it takes out all of the language that grants sovereign immunity when police and fire are on an emergency call with the exception of when the party attempts to flee. Ms. Blankenship noted the way the bill is drafted in order for that exception to apply and sovereign immunity be allowed under HB 27 the person fleeing would have to be the plaintiff in the suit.

Mr. Prytherch inquired what the intent of the proposed bill was. Mr. Elliott noted he thought it came about after an accident in Cincinnati when a cruiser hit a vehicle while responding to an emergency.

Mayor Rousmaniere inquired if the FOP has taken a stand on this bill. Chief Jones advised the FOP was thankful that Mr. Dana brought this matter forward. Ms. Blankenship advised the City of Columbus and the Ohio Township Association have testified against the bill.

Ms. Southard thanked Mr. Dana for taking the lead on this matter.

Mr. Smith noted if the bill passes he dreaded what might happen to insurance premiums.

Mr. Dana moved to adopt Resolution No. 7059. Mr. Smith seconded. The motion passed 7-0-0.

ORDINANCES **FIRST READING**

ORDINANCE **CONDITIONAL USE**

An Ordinance Approving A Conditional Use Permit To Allow For The Expansion Of A Place Of Worship In The MU (Miami University) District at 800 Maple Street With Conditions. (Zachery Moore, Planner)

Mr. Moore advised this was the First Reading for a Conditional Use for the Oxford Bible Fellowship which was located at the northwest corner of Maple and Chestnut. Mr. Moore noted the applicant was represented by Etta Reed of Bayer Becker and Architect Doug Franklin from the Aspen Group. Mr. Moore advised the proposal was an expansion of an existing place of worship. Mr. Moore provided a PowerPoint and discussed the project in detail as well as the conditions recommended by the Planning Commission. Mr. Moore noted the new addition totals approximately 3,000 square feet of footprint and 9,000 square feet of floor area. Mr. Moore advised the purpose of the addition was for additional Sunday school space and a youth and multi purpose space on the mezzanine level. Mr. Moore advised no resident opposition was voiced at the March 12, 2019 Planning Commission meeting.

Mr. Prytherch noted the Planning Commission and Council had considered previous requests for an expansion at this location and inquired why it was coming to Council as a new conditional use. Mr. Moore advised there had been 2 attempts and 1 prior approval noting the prior approval was expired.

Mr. Garret Nates, Lead Pastor, advised this has been a process for the church and noted some big adjustments had been made. Mr. Nates advised he was grateful for the excellent recommendation from the Planning Commission and also from the neighbors.

Ms. Etta Reed, Bayer Becker, 110 S. College, advised the proposal addresses a lot of the neighbor's concerns noting all of the work is being done in the northeast corner of the property. Ms. Reed advised the previously approved plan was a new building much larger than what is being presented this evening. Ms. Reed noted this plan is not touching much of the site. Ms. Reed provided a PowerPoint and detailed the proposal.

Mr. Doug Franklin, Aspen Group, provided a PowerPoint and advised the applicant was expanding their ministry and outreach in the community. Mr. Franklin explained the building materials and how they will blend with the current facility and with the community.

Ms. Reed discussed the waivers as listed on page 52 of Council's packet and offered to answer any questions.

Mr. Smith advised the Planning Commission liked this proposal, the scale of the addition and how it matches the existing structure.

Mr. Prytherch noted he felt this project was a low impact addition to the site and advised he appreciated the applicant working with the neighbors and with staff.

Mayor Rousmaniere inquired what the timeframe was. Mr. Nates advised they would break ground in August or September.

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

ORDINANCE **NEW CHAPTER 743**

An Ordinance Enacting New Chapter 743 Of The Oxford Codified Ordinances Entitled Short Term Rentals. (Sam Perry, Community Development Director)

Mr. Dana and Mr. Prytherch recused themselves.

Mr. Perry advised the Planning Commission made a recommendation to Council in September regarding Short Term Rentals and noted Council had a Work Session and several discussions regarding Short Term Rentals since then. Mr. Perry advised he met with Mayor Rousmaniere, Mr. Elliott and Mr. Moore, to discuss what has transpired so far, what they felt the consensus was and what the issues were. Mr. Perry noted the group was not convinced there was a problem that needs to be solved at this point and they felt more data was needed. Mr. Perry advised Mr. Moore found Short Term Rental Registration legislation from the City of Louisville which was close to what they were looking for. Mr. Perry noted staff was recommending a new Chapter be added to the Business Code for Short Term Rental Registration. Mr. Perry advised at a later date staff would bring forth legislation to deny the Planning Commission's recommendation and address it after Short Term Rental registration data was collected over the next year. Mr. Perry noted registration would be free for people operating Short Term Rentals. Mr. Perry advised this would not legitimate their use because it does not touch the zoning code noting it defers enforcement until zoning regulations are established. Mr. Perry advised Council and the Planning Commission have talked at length about how long the duration should be, whether it should be in certain neighborhoods or others and what types of buildings would be allowed. Mr. Perry noted Oxford was not the only city struggling with this and noted there was not a city of Oxford's size to compare regulations with. Mr. Perry advised the Ohio Building Code regulations have not been updated for Short Term Rentals although staff believes they will be by 2020. Mr. Perry noted the proposed recommendation would establish a new Chapter in the Business Section of the Codified Ordinances which would make short term rental registration mandatory. Mr. Perry advised staff planned to use several types of outreach regarding the new registration such as the utility bill, email and US mail noting the City also had a robust contact system for rental property owners. Mr. Perry noted staff would keep the registration as simple as possible by asking for the name, contact information and location of the rental property. Mr. Perry advised property owners would have 6 months to register their Short Term Rentals and noted at that point if people are not registered the City would pursue enforcement measures. Mr. Perry advised after one year of collecting data it would be analyzed and brought back to the Planning Commission and Council.

Mr. David Prytherch, 6195 Contreras Road, inquired if stand alone short term rentals would need to be registered and Mr. Perry advised yes. Mr. Prytherch advised he had been involved in discussions on this topic for a number of years in hopes of reaching a resolution on the matter. Mr. Prytherch noted he was disappointed to see Council potentially “kicking the can down the road” so it can be discussed in another years time. Mr. Prytherch advised over two years ago Oxford was ahead of the curve on short term rental regulations noting it was talked about for a long time because these issues were complicated and noted as it was talked about Oxford got further behind the curve. Mr. Prytherch advised people invested in properties and they are operating businesses and some have expanded their operations in anticipation of future permitting. Mr. Prytherch noted he worried about the conversion of houses in an already somewhat unaffordable housing market. Mr. Prytherch advised in another year Oxford will be further behind the curve and noted it is not going to get any easier. Mr. Prytherch advised he felt this should be dealt with now or commit to the fact that the City will not realistically be able to regulate short term rentals. Mr. Prytherch noted an industry has grown under Council’s noses while they have been talking about it. Mr. Prytherch noted his hope 2019 was the year Council would act on this issue.

Mr. Richard Keebler, 11 Fox Run Drive, advised he continued to believe that allowing short term rentals in a Neighborhood Conservation Overlay District goes against the very grain of what that legislation has attempted to do which is to preserve family oriented neighborhoods. Mr. Keebler noted it was apparent the majority of Council does not agree with him on that so he will move on. Mr. Keebler advised what he has heard listening to Council discussions is that the majority of Council does believe short term rentals need some limitations. Mr. Keebler inquired why Council was attempting to delay implementation of some common sense legislation to control this use and noted simply collecting data for another year and then considering legislation while short term rental use both owner occupied and commercial rentals continue to grow unabated just does not make sense. Mr. Keebler advised he concurred with Mr. Prytherch that “kicking the can down the road” will not make policy decisions any easier and too much time has already been spent talking. Mr. Keebler noted he forwarded to Council and staff what he felt was a simple plan for continuing short term rentals in the City. Mr. Keebler advised there were two types of short term rentals in Oxford, the occasional rental by property owners who are owner occupiers, and there are people who are doing it as a business. Mr. Keebler suggested drawing up reasonable limits and conditions for owner occupied residents and make it a permitted use similar to Home Occupations which require a registration process. Mr. Keebler noted for owner occupied short term rentals exceeding those reasonable limits (more days, events, or more occupants) and for properties not owner occupied it should be considered under the Conditional Use process. Mr. Keebler implored Council to direct staff to do the following without waiting to gather more data:

1. Prepare legislation making short term rentals with reasonable limitations in owner occupied dwellings a permitted use in residential zones.
2. Prepare legislation modifying the definition of a Bed and Breakfast to include short term rentals that do not fall within the permitted use category and do require a Conditional Use approval.

Mr. Keebler noted while this will likely lead to a temporary surge in Conditional Use applications he felt it is the right thing to do. Mr. Keebler advised while leaving open some questions as to occupancy limits, standards and conditional use considerations he believes the outline he submitted to Council last weekend provides a good foundation for this legislation to help move it along.

Mr. Keebler noted ignoring the current zoning restrictions by allowing short term rentals to continue another year while data is collected only makes it more difficult to legislate in the future. Mr. Keebler advised the longer it is ignored it creates an ongoing de-facto approval of short term rentals and noted if and when the City tries to pull back it will set the City up for a lawsuit. Mr. Keebler asked Council to pass reasonable legislation and get the short term rentals under control now.

Mayor Rousmaniere inquired if the registration information could be shared with others such as Enjoy Oxford or the University Parents Association and Mr. Perry advised it would be a public record. Mayor Rousmaniere inquired if Council was “kicking the can down the road” or waiting until the market settles. Mayor Rousmaniere noted the theory behind the registration process was that Council does not really know anything about short term rentals in town right now or if they are growing or how many there are which is where the data collection comes in. Mayor Rousmaniere inquired if there were any potential legal ramifications regarding short term rentals. Ms. Blankenship advised she was not concerned about putting the registration requirement into the Business Code creating an argument for de-facto approval of short term rentals in Oxford. Ms. Blankenship noted if that argument was ever to be legally made to the City the fact that they have been existing this far would be the reasoning for arguing that there is a de-facto approval of short term rentals in Oxford not because registration requirements are in the code.

Ms. Southard referred to page 95 of Council’s packet and inquired how the six months grace period was derived and if it could be shortened. Mr. Perry suggested it could be shortened to three months.

Mr. Ellerbe agreed with a 3 month grace period before starting enforcement noting if someone took 90 days to register they were choosing not to do it. Mr. Ellerbe advised people had approached him with regard to Neighborhood Conservation Overlay Districts and noted the Housing Advisory Commission talks about preserving neighborhood character. Mr. Ellerbe advised having stand alone houses within overlay districts creates a loophole to be able to run a business in a residential area and noted he felt Council should resolve that immediately. Mr. Ellerbe noted he was ok with collecting data if it is collected quickly and advised he wanted to address non-owner occupied short term rentals in overlay districts.

Mayor Rousmaniere inquired if the registration form would ask the host to specify if the home was owner occupied and Mr. Perry advised that question could be added.

Ms. Raghu inquired what the definition of owner occupied was noting there was a non-owner occupied Airbnb in her neighborhood and the owner is there occasionally in a separate structure on the property. Mr. Perry advised that would be considered a non-owner occupied rental. Ms. Raghu agreed that the three month grace period was more appropriate and that this was something Council should not defer for another year.

Ms. Southard inquired if the registration Ordinance was adopted did that mean no other legislation would be adopted for a year and Mr. Perry advised possibly yes.

Mr. Smith advised he felt the people that are going to register would do it immediately and the people that are not going to register are going to say “catch me if you can” or plead ignorance.

Mr. Smith noted he felt Council should continue working on the zoning regulations in parallel with the registration and advised he felt they needed to be ready to go and not debated another six months.

Ms. Raghu noted if someone is renting a stand alone none owner occupied home as a business it was interesting it could be in any neighborhood that is labeled for residential use. Ms. Raghu advised it was like a sneaky business that has gone inside every residential area.

Mr. Ellerbe noted he wondered if there were home occupation by right laws that are already being violated by people using these for Airbnbs. Mr. Ellerbe inquired if additional legislation was needed or if existing laws needed to be enforced.

Mr. Ellerbe moved to amend the grace period for short term rental registration from six months to three months. Ms. Southard seconded. The motion passed 5-0-0.

Mayor Rousmaniere noted she and others listened to a WVXU radio show on this topic today and advised every city in the county was frustrated with it. Mayor Rousmaniere noted as she was listening it became clear to her that as a small college town short term rentals were needed due to having a lot of visitors on certain weekends and not having enough hotel space. Mayor Rousmaniere advised needing them has helped her think about slowing down the process noting she felt the short term rental market was much more unstable and Council does not know how many short term rentals exist in the City. Mayor Rousmaniere noted she liked the proposed Ordinance because she liked the idea of registering and gathering the data and advised she also liked amending the grace period to three months.

Ms. Raghu advised she checked Airbnb once in a while to see what the availability was for Oxford and it can average anywhere from 35 to 80. Mr. Ellerbe advised 55 in the 45056 zip code was the average which includes the township.

Mr. Dana and Mr. Prytherch returned to the dais.

ORDINANCE

SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3493. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations for fiscal year 2019. (Joe Newlin, Finance Director)

Mr. Newlin addressed the proposed Supplemental Budget as presented on pages 98-99 of Council's packet and offered to answer any questions.

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

ORDINANCE
ADOPTING CHAPTER 1111

An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Doug Elliott, City Manager) (**Tabled until 4/16/19**)

Mayor Rousmaniere advised the Ordinance was tabled at the last meeting until April 16, 2019 and noted Mr. Elliott and Mr. Perry would attend the Environmental Commission meeting tomorrow evening to discuss the "Tree Ordinance".

ORDINANCE
SECOND READING
NEW SECTION 303.08

An Ordinance No. 3521 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 the proposed Ordinance cleans up some language and improves the efficiency of the Parking Unit's operation noting there were no changes since the First Reading of the proposed Ordinance.

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. 3521. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the investigation is not complete regarding the house fire in Oxford on March 23 noting once the investigation was complete staff will share the information with Council.

Mr. Elliott recapped for everyone the activities that took place when visitors from Oxford's Sister City of Differdange were in town.

Mr. Elliott updated everyone on the meeting staff had with Miami University officials regarding their safety and parking concerns with the City's e-scooter program.

Mr. Elliott updated everyone on the bond pricing which occurred on March 28, 2019 and advised the City was able to lock in an all in interest cost of under 3.13% which was close to an all time low rate for a 23 year bond. Mr. Elliott noted the City's representative from RBC Capital Markets stated "A large degree of our success today is due to the excellent A2a credit rating the City was able to achieve from Moody's. The Strength of the City's financials, conservative budgeting, and stable economy were all credit positives and led to a strong and diverse set of investors participating in this bond issue."

Mr. Dreisbach updated Council on the City's recycling opportunities noting Butler County has posted results for the 4th quarter curbside recycling numbers and the City of Oxford continues to lead all of Butler County at approximately 18%. Mr. Dreisbach noted the City continues to recycle yard waste at the City owned Class 4 composting facility. Mr. Dreisbach advised during the budget meetings for Fiscal 2019 Council directed staff to look at ways to increase recycling and sustainability in the City noting Ms. Raghu discussed food scrap composting opportunities. Mr. Dreisbach noted the City was ready to kick off a pilot program for food waste composting in the City this Saturday. Mr. Dreisbach explained how the program works and advised the facility at the City Garage would be open every Saturday from 9:30 a.m. to 12:30 p.m. Mr. Dreisbach thanked David Treleaven noting he has worked hard to get this program started while keeping up with his other duties.

Ms. Raghu thanked Mr. Dreisbach and Mr. Treleaven for their efforts on the food waste composting program noting it was exciting and a lot of people were excited about it. Ms. Raghu advised Council talks about how small Oxford is and act like the forces of economics do not apply to Oxford but she felt it was amazing to have empty storefronts in Brooklyn and in Berkeley and empty storefronts in Oxford. Ms. Raghu noted the Airbnb problem was in Cincinnati and in Oxford and there was homelessness whether it is in San Francisco or in Oxford. Ms. Raghu advised she felt it was interesting that we have the ability to do so much to stop a problem while it is still small. Ms. Raghu noted she felt there was so much we can do if we just learn from other markets and learn from what has worked for them and bring that in to Oxford.

Mr. Ellerbe thanked City staff for doing a great job. Mr. Ellerbe noted he appreciated the dinner Council had with their counterparts from Differdange.

Mr. Ellerbe noted he was glad spring break is the mark of warmer weather and advised it also means warm weather related incidents. Mr. Ellerbe encouraged everyone to be weary of their surroundings and to try to be excellent to each other.

Mr. Dana congratulated the Fire Department for the terrific job they did at the fire on Lantern Ridge Drive noting he knew the fire persons on the scene received accolades. Mr. Dana thanked the Fire Department on behalf of them and on behalf of Prue and himself.

Mr. Dana advised he was strongly in favor of the City annexing 140 acres off of Fairfield Road to lower the speed limit and make other improvements to encourage safety.

Mr. Dana advised the Housing Advisory Commission has proposed to provide formal input to the Planning Commission on certain cases noting he supported that initiative as well.

Mr. Dana applauded Miami University's recent efforts to improve pedestrian safety on campus.

Mr. Elliott advised Miami University was cooperating with the City to annex approximately 148 acres contiguous to the Community Park so the City can work on lowering the speed limit. Mr. Elliott noted the annexation had nothing to do with the ownership of the airport.

Mr. Smith thanked the Police and Fire personnel noting they have had a busy couple of weeks with a major structure fire and several serious accidents. Mr. Smith noted his hope for a quiet spring.

Ms. Southard advised the Recreation Board met at the new Aquatic Center noting the progress on the facility was amazing. Ms. Southard noted the opening was scheduled for May 25 although it was weather dependent.

Ms. Southard advised the Institute for Learning in Retirement has begun noting many senior citizens in Oxford participate in the program. Ms. Southard noted participants can sign up for as many courses as they wish for a small fee. Ms. Southard advised all of the people teaching are volunteers. Ms. Southard noted she and Mr. Elliott are coordinating a course on local government and advised Mr. Dreisbach, Chief Jones, Mr. Kyger, Mr. Perry and Mr. Wooddell were also participating in the program.

Mr. Prytherch advised residents have raised issues about the distribution of the daily advertising flyers everywhere across town. Mr. Prytherch noted he felt people liked coupons but do not want litter and advised there had to be a way to strike a balance. Mr. Prytherch noted he appreciated the thoughtful letters Council received from citizens that prompted a conversation.

Mayor Rousmaniere advised if there is no improvement in the litter situation Council may consider an Ordinance to regulate the distribution of the coupons.

Mayor Rousmaniere noted on May 7 a Work Session may be scheduled for staff and Council to review the strategic plan that Council discussed at their retreat in January.

Mayor Rousmaniere advised the Audubon Society received a grant for \$2,500 for pollinator garden plants for gardens on the west side of the Oxford Community Arts Center noting a lot of people in town love pollinator gardens for bees, birds and bats. Mayor Rousmaniere noted that was another aspect of climate awareness that the community has been getting involved in.

Mayor Rousmaniere noted the League of Women Voters Oxford is hosting a public Climate Summit on April 10 from 7:30 – 9:00 p.m. in the Presbyterian Seminary building at the corner of Poplar and Church Streets.

ADJOURN

Mr. Dana moved to adjourn at 9:30 p.m. Mr. Smith seconded. The motion passed 7-0-0.