

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, April 21, 2015 at 7:30 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

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

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION **'ARBOR DAY'**

Mayor McKeehan read the Proclamation and presented it to Ms. Rousmaniere who is Council's representative on the Environmental Commission.

PUBLIC COMMENTS

Ms. Prue Dana, 6314 Fairfield Road, advised she represented the Lane Library Levy Committee and she and her husband were Chairs of the Oxford branch of the levy effort. Ms. Dana encouraged everyone to vote yes on May 5th for Issue 3 which was a .75 mil levy that would extend for 10 years to support operating expenses for the Lane Libraries. Ms. Dana noted the committee would appreciate everyone's support.

Mayor McKeehan thanked Ms. Dana for her comments noting the levy was a renewal and not a tax increase.

Mr. Jerry Flyr, Fairfield, Ohio, advised he was representing the Church of Jesus Christ of Latter Day Saints to invite Oxford to participate in the Feed Ohio Campaign. Mr. Flyr noted Governor Kasich signed off on this initiative in February and asked municipalities to issue Proclamations to invite people of various organizations to conduct a Feed Ohio Campaign of their own. Mr. Flyr advised last year the church here in conjunction with the Oxford Bethel AME Church collected over 1400 pounds of food and donated it to the Oxford Community Choice Pantry. Mr. Flyr noted each area including Hamilton, Fairfield, Mason and West Chester picked a pantry to target and help collect food for.

Mr. Flyr advised in 2014, the second year of this endeavor, 170,000 pounds of food was collected throughout the state to give to food pantries and monetary contributions totaled over \$84,000. Mr. Flyr noted the campaign had grown successfully since its inception. Mr. Flyr advised his purpose tonight was to invite the City of Oxford to issue a Proclamation sometime this summer based on the document he provided the Clerk, publicize it, and invite groups to collect food for the pantry of their choice.

Mayor McKeehan thanked Mr. Flyr for making Council aware of this effort and noted the Oxford Community Choice Pantry did a fine job but could always use more donations.

CONSENT AGENDA

MINUTES

Minutes of the April 7, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the April 1, 2015 Historic and Architectural Preservation Commission Meeting. Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the April 1, 2015 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

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

RESOLUTION

MOON COOPERATIVE SERVICES, INC.

A Resolution No. 4909 authorizing the City Manager to refinance the existing Moon Cooperative Services, Inc. Revolving Loan Fund loan. (Alan Kyger, Economic Development Director)

Mr. Kyger advised a year ago Council approved a one year extension of an interest only loan for Moon Co-Op and that was getting ready to expire. Mr. Kyger noted the Community Improvement Corporation (CIC) reviewed the loan and the possibility of refinancing it to make it more advantageous for Moon Co-Op. Mr. Kyger advised after several meetings with officials from Moon Co-Op, the CIC Loan Review Committee and the CIC, the following recommendations were made: refinance the loan from 5 years to 10 years, lower the interest rate from 3% to 1.5%, and the minimum monthly payment would be \$700 verses approximately \$500. Mr. Kyger noted at the end of 12 months, the loan would be recalculated based on the principle at that time. Mr. Kyger advised representatives from Moon Co-Op were in attendance.

Ms. Bernadette Unger, advised she was on the Board of Directors for Moon Co-Op. Ms. Unger thanked Council for considering the refinancing proposal and for being diligent with regard to the Revolving Loan Fund loan.

Ms. Unger noted she was very excited that things were constantly improving at the store and the majority of that was due to their General Manager, Tanna Richards who was an Oxford resident. Ms. Unger advised Moon Co-op was proud that they had been able to provide so many local jobs and Ms. Richards would speak to that.

Ms. Tanna Richards, advised she had lived in Oxford most of her life. Ms. Richards noted Moon employed 14 people 3 of which were full-time including herself and the Deli Manager, Lori Princell. Ms. Richards advised there were 11 part-time positions 1 student on staff and the rest were local community members. Ms. Richards noted Moon supported over 56 local vendors which changed month to month depending on who had produce which gave Moon over 400 local items to sell. Ms. Richards advised Moon was an intricate part of the local economy.

Ms. Unger noted in addition to the 400 local items Moon was a full service grocery store. Ms. Unger advised Moon was on the forefront of helping to resurge energy into the geographic center of Oxford and they looked forward to the continued revitalization of the City's core and provide healthy food for the community. Ms. Unger thanked Council for reconsidering the loan. Ms. Unger and Ms. Richards distributed menus from Moon's deli to Council, staff and members of the audience.

Ms. Rousmaniere asked Mr. Kyger to provide the history of the Revolving Loan Fund and inquired if there were minimum interest rates or other variables that Council should be aware of. Mr. Kyger advised typically a Revolving Loan Fund loan was below market rate on interest. Mr. Kyger noted the purpose of the fund was to provide gap financing for new businesses that could not obtain full financing from a bank. Mr. Kyger advised 10 years was the longest the CIC wanted to recommend for the loan since the only collateral was equipment. Mayor McKeehan noted he assumed Moon Co-Op was up to date on all of their payments and Mr. Kyger advised yes.

Mr. Snyder moved to adopt Resolution No. 4909. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES

FIRST READING

ORDINANCE

PRELIMINARY SUBDIVISION

An Ordinance Approving The Proposed Preliminary Subdivision Application For The Fields At Southpointe. **(Continued from April 7, 2015)** (Jung-Han Chen, Community Development Director)

Mr. Chen advised the first reading of this case was continued based on comments from Council and the applicant made some modifications as shown on page 26 of Council's packet. Mr. Chen noted the mid-block pedestrian path was re-aligned to create a direct alignment, alley "D" was eliminated and lots 82 and 83 were reconfigured to keep the buildable areas of the lots out of the proposed conservation easement.

Mr. Chen advised he met with the City Manager, Service Director and Law Director and they drafted 7 conditions to add to the proposed Ordinance for Council to consider as outlined on pages 26 and 27 of the packet.

Mr. Chen highlighted some of the conditions noting that parking would be restricted on one side of the streets to allow two way traffic, easements must be separated from the buildable areas of the lots and an analysis must be submitted in accordance with section 1101.402 of the subdivision regulations. Mr. Chen added that the temporary egress/ingress must be shown on the plan.

Ms. Etta Reed, Bayer Becker, 318 S. College Avenue, noted she was in attendance on behalf of the applicants and the applicants were in attendance if Council had any questions for them. Ms. Reed advised she and the applicants were at the last meeting and heard Council's concerns. Ms. Reed noted she believed they addressed all of Council's concerns and they read the staff report and were fine with all of the conditions staff suggested be placed on the proposed development.

Ms. Kathleen Zien, Joseph Drive, read the following (in part) into the record 'Every review by Planning comes to Council for its next step and arrives here with or without endorsement. Five of seven Planning Commission members didn't approve this plan. As the first board of review they hashed this out over an hour, it was not a cavalier decision. Why should their deliberation efforts be second guessed? If a Councilor who serves on Planning previously might have approved something just to move it to Council's table that was un-necessary it comes here anyway. After re-thinking over the past month and can admit it wasn't really a good idea, you have every right to deny it with your Council vote. There's no obligation to continue down the wrong path. If in good conscience you find you're now opposed to it you're not married to an idea if it's bad. Get out of the engagement before the wedding. At the last meeting the developer sat in the front row without comment. He didn't offer nor did Council ask appropriate questions. The more he's silent the less you know. It's Council's obligation to pursue, not wait for answers, but ask focused questions in the first place. The first reading is always the time to iron things out, by the second reading it's too late for research. The developer initially did nothing to assure adequate parking and a traffic safety to accommodate 600 vehicles, a conservative estimate for 664 projected students. Parking, street use and safety shouldn't be insignificant afterthoughts but at the forefront. There was no provision for viable parking solutions on paper much less in actuality. That solution shouldn't be dumped in the lap of the City Engineer to figure out. Their choice of meeting only bare minimum requirements shouldn't mean you settle for minimum standards. With a job evaluation isn't it preferred to exceed standards as an employee? If you expect minimum the best you'll ever get is mediocre. If the applicant drove through Oxford they'd drop the ill advised argument of need seeing an over abundance of for rent and available housing we've had for years. If they ignore our student housing surplus they disregard true community needs. Oxford isn't desperate to develop 37 acres Trinitas is. You're obligated to vote on merit and compliance this provides neither. It defies zoning, doesn't have merit nor fill our needs. The out of state developer knows it, so must the attorney representing the property owner or he wouldn't have suggested required elements of the application were irrelevant and chose not to provide them at the last meeting. Oxford will be the only Ohio property in this developers Midwest portfolio. The value to them of a student compound is likely a property to be flipped. Last October this company sold off 3400 beds valued at 230 million dollars. Their website is proud to say the largest student housing transaction of 2014. Don't be fooled by the phrase HOA.

To those who are homeowners a HOA equates to owner occupied costs as in a West Chester townhouse. A HOA for Southpointe is glorified initials for assessed maintenance fees for transient student renters and not owners. It's not a plan in concert with suitable housing style for the zone it's in. If Council doesn't see a glut not a limited number of duplexes defies R2A zoning with this proposal then when? Any reasonable person knows that limited means limited not 94% duplex use. There is no excuse for that submittal. If any Councilor is thinking of approving this you must tell us how 94% can in anyway be justified as a limited number. If the developer wants a project desperately enough to get into Oxford and apparently they do, they'd follow our rules and not their wish list that avoids zoning specifications. If you deny this preliminary plan they can do two things, back off and back out of Oxford, or if they want to be here badly enough they'll do it right. At this point however, they prefer to defy zoning. They can re-apply with a project that comes back to Planning not in violation of code but with appropriate occupancies, suitable streets and guaranteed green space that isn't token acreage. At the last meeting a readjustment of north south borders added one acre of land. Since when does acreage get rearranged like puzzle pieces to suit developer needs verses the specifications of the conservation land trust. The homes on my Joseph Drive are .25 acre lots. Picture four of those back to back that's the token one acre that will be provided. If they are the professionals we hope anyone is that comes with an application they'd withdraw a plan that focuses only on students. They said only student housing gives them the financial return they need. That's not your problem Council. It has never been any board's responsibility to guarantee income or profit for an applicant. Oxford has demonstrated a need for affordable housing, real single-family and senior housing. If project financing is being solicited to a local bank perhaps one Councilor will have to recuse. If the City Manager has encouraged Council to approve this, his judgement may also come into question. He is not a Planner with AICP initials nor qualified to offer anything but subjective opinion. He also did not attend the Planning Commission meeting. Any comments he may have offered to Council should be submitted and on the record. If any Councilor is sitting on the fence, do what's right not what's easy. Each of you should give detailed justification why you would approve or rightfully deny. If Trinitas wants to do it right and not make resident or City enemies from the git go by ignoring City code it is your right as Councilors to see that happens. If not you let the bullies play through. Don't rationalize that building is inevitable, it's not, especially with a bad plan. I can't think of any recent project before Planning or Council that would have had such a negative impact. This isn't a case of build by right, not only because it is wrong, but it's in the wrong residential zone for 94% duplexes. We deserve better and I hope Council doesn't settle and sell us short for the sake of convenience.'

Mr. Keebler referred to pages 26 and 27 of Council's packet and advised the suggested conditions for approval should be incorporated into the Ordinance as well as one for a temporary egress.

Mr. Keebler moved to incorporate the original 7 conditions plus the temporary egress into the final Ordinance. Mr. Snyder seconded. The motion passed 7-0-0.

Mr. Keebler proposed two additional conditions.

Mr. Keebler moved to add condition 9. As dwellings along street G backing up to Corporate Woods Drive and Southpointe Parkway are constructed the owners shall be required to install landscaping to form a screen at the rear property lines. And condition 10. If and when a roadway is constructed along the eastern property boarder the HOA shall be required to install landscaping along the right-of-way to form screening behind the adjacent alleyways. Mr. Snyder seconded. The motion passed 7-0-0.

Ms. Rousmaniere inquired if the City could ask for a new traffic study based on the addition of 600 vehicles in the proposed subdivision. Mr. Chen advised Bayer Becker did the traffic analysis for the proposed development project and no issues came out of the analysis. Ms. Rousmaniere asked the City Engineer for more information. Mr. Popescu advised this was a state highway and ODOT did the traffic counts. Mr. Popescu advised the latest counts the City had were from the intersections of US 27 and SR 130 and US 27 and Chestnut Street. Mr. Popescu noted between those two intersections vehicles were 'lost' due to them turning off of the highway and the number of vehicles in the proposed subdivision would never come close to the number of 'lost' vehicles. Mr. Popescu advised the improvements to US 27 S. would improve the mobility on the highway.

Mr. Snyder asked staff or Council to address the issue of 94% duplexes in the proposed subdivision noting the code was ambiguous. Ms. Rousmaniere read the purpose of the R2A (Single and Two Family Residential) District as follows: "This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences". Mr. Elliott advised a number representing 'limited' was not defined and he was not in Oxford when the legislation was adopted. Mr. Elliott noted he believed staff and Council wanted some flexibility. Mr. Elliott advised the term 'limited' could be defined as long as it was not arbitrary. Mr. Snyder inquired if the proposal on the table met the requirements of the R2A District. Mr. Elliott advised the preliminary subdivision application divided the land into lots and at some point the developer would submit building plans that would be reviewed by the Planning Commission and Council. Mr. Snyder inquired if 94% met the requirement for a limited number of duplexes. Ms. Rousmaniere advised it was her understanding that there was not a legal definition for 'limited'. Mr. Keebler noted the last subdivision approved in Oxford was 100% duplexes in a R2MS District. Mr. Keebler noted that was one subdivision in a larger zone and it did not represent 100% or 94% of the zone. Mr. Keebler advised he felt defining the number of duplexes would make it more difficult.

Mr. Travis Vencel, Trinitas Development, LLC, advised each lot met the standards of the code and what would be built on those lots had not been determined.

Ms. Rousmaniere reminded Council how they got where they were with the issue before them. Ms. Rousmaniere advised in April 2014 Council voted to rezone the property on which the subdivision was proposed from OI to R2A. Ms. Rousmaniere noted Council did that based on the request of the single owner of the property, Jim Clawson, who she understood bought the land on speculation a bypass would be constructed on the property. Ms. Rousmaniere advised because of citizen participation and engagement the bypass was rejected and the property owner was left with a lot of land zoned for office and light industrial which he could not rent or sell. Ms. Rousmaniere noted on the request of the single land owner Council rezoned the land on which a subdivision is proposed from OI to R2A.

Ms. Rousmaniere advised in presentation the agent for the property owner, Scott Webb, said specifically the land would not be used for student housing and that it was a good case for conservation development. Ms. Rousmaniere noted Council and Mr. Keebler in particular felt it was very important that when the land was developed it would be the kind of development Council and the citizens wanted. Ms. Rousmaniere advised a few months later the property owner and agent came back with Trinitas, a company whose expertise was student developments. Ms. Rousmaniere noted Trinitas presented a Planned Development and when Council debated the Planned Development it was she who said Mr. Vencel was threatening Council that if they did not approve the Planned Development he would come back with a less attractive proposal as a subdivision and they would have to approve it. Ms. Rousmaniere advised now Council was faced with a development that no one she had talked to wanted or liked. Ms. Rousmaniere expressed her disappointment and frustration noting there was an election coming up in the fall and Council would like to have three people run for City Council. Ms. Rousmaniere advised this situation made Council look ineffective and like they couldn't do anything so why run for City Council if they had to adopt something they didn't approve of. Ms. Rousmaniere noted this experience made her untrustworthy of other development processes that may come forward and she was trying to think of how to proceed. Ms. Rousmaniere advised there was not a lot of land left to be developed in the center of the City and she suspected more of these types of threats to develop large complexes on the edge of town would be proposed. Ms. Rousmaniere proposed to Council, the City Manager and staff that a smart growth plan for the edges of the City be developed that incorporated conservation development. Ms. Rousmaniere noted such a plan was drafted called Shaping Our Sustainable Communities – A Plan for the South Side of Oxford and it was approved in 2011 by a group of community members who developed it. Ms. Rousmaniere advised the plan was introduced to Council last month and the City Manager expressed concern that even as a reference document to the Comprehensive Plan it was not representative of the full Comprehensive Plan process. Ms. Rousmaniere noted Mr. Webb criticized the plan as an academic process. Ms. Rousmaniere advised over 100 citizens voluntarily worked on the plan for two years. Ms. Rousmaniere inquired what we were going to do to shape our community and who would be asked to drive the shaping of our community, citizens or a developer with an economic interest. Ms. Rousmaniere suggested a plan, method and approach be developed quickly.

Mr. Blackburn noted he felt 'limited' should be 50% or less and 94% was unlimited. Mayor McKeehan advised the preliminary subdivision application did not address any type of units, just lots.

Ms. Southard echoed Ms. Rousmaniere's comments and reminded everyone when Council rezoned the property from OI to R2A it was said that Council couldn't hold the developers hostage. Ms. Southard inquired who was holding who hostage now. Ms. Southard noted she wished the City's codes, regulations and guidelines were in sync with the Comprehensive Plan and she hoped that goal could be achieved.

Mayor McKeehan advised as far as he was aware Council had only been misled by one individual regarding this matter and it was not Mr. Vencel. Mayor McKeehan noted he was in favor of free market and fair market. Mayor McKeehan advised if someone wanted to attempt a business or an operation it was their money and their right. Mayor McKeehan noted he had only heard from three citizens in Oxford who opposed the preliminary plan.

Mayor McKeehan advised most people were mystified by someone wanting to build more student housing when it clearly was not needed.

ORDINANCES
SECOND READING

ORDINANCE
OVERLAY DISTRICT

An Ordinance No. 3311 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment To Establish A Neighborhood Conservation Overlay District In A R-2A (Single And Two Family Residential) District For 66 Parcels Located On Dana Drive, David Drive, Marcia Drive and Glenview Drive, In The City Of Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the first reading of the proposed Ordinance. Mr. Chen noted the petitioned area was shown on page 73 of Council's packet and the Planning Commission recommended approval.

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

Mr. Snyder moved to adopt Ordinance No. 3311. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit To Permit First Floor Vacant Space To Be Used As An Accessory (Exercise/Study Room) In An Existing Mixed Use Building In The Uptown (UP) District At 7-9 West High Street With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the first reading of the proposed Ordinance.

Kathleen Zien, Joseph Drive, read into the record (in part) as follows: "Why would this request for an accessory room for residential use on the first floor behind business storefronts ever be appropriate? Beyond the obvious violation it requests what amounts to internal rezoning for residential use. At the Planning Commission meeting Ms. Rousmaniere asked how a person could study when you were in or next to the distraction of an exercise room."

The reply was the two areas would be separated by a wall. Why bother with any space change-over for any kind of residential use in what should be and what was designed and previously approved by two boards for only commercial use. We were told the two businesses at 7-9 W. High Street don't need the available room for storage and are self contained within their store footprint. With the frequent turn-over we have of Uptown retail and restaurants the likelihood of another restaurant, boutique or store is predictable, those shops won't be there forever. A future tenant may want and need back-up storage. Then what, the owner has to dismantle a study or exercise room with equipment at his cost again? Something doesn't seem right here nor did the proposal a month ago. I still question the request for a residential accessory room on ground floor retail space. What's the hardship for the owner to leave it vacant? Why spend money on a retro-fit – walls, paint, hardware, light fixtures, flooring, tables, chairs, exercise equipment and labor? Ask the applicant how many rental apartments are available above 7-9 W. High Street. Are they all occupied? If so an exercise or study room aren't golden perks to lure tenants. If not there must be something about the apartments that prevents occupancy. Students seem to enjoy living above noise and High Street traffic with 18 wheelers passing under their window on a designated state route. They should be fully rented with a waiting list. If Uptown students needed space outside their apartment to draft a term paper at least 4 dozen buildings would be requesting study rooms separate from living spaces and that's not happening. If there was an up-charge or rent increase to use the accessory rooms students would opt-out. If it was only an exercise room how could it compete with a recreation center open 18 hours a day, a half mile from High Street with a pool, track, multiple work out areas, ball floors and dozens of pieces of maintained equipment. This request doesn't sound or feel right. The owners from Xenia, Ohio aren't here to supervise use. When the applicant was questioned by the Planning Commission how we would know if this was used as a party room the response was neighbors might complain – who – another Uptown business – not likely. What happens in that room or rooms will never be monitored. The second response was the building is inspected annually. NIC doesn't keep night-time party hours. From what I'm told about NIC inspections they are not very thorough. Why should any portion of ground floor which may be vacant now be converted to anything but commercial use. Council should never agree to residential use for any purpose even if it's closet size in the ground floor commercial space in the business district, period. The request for conditional use is un-warranted and sets a dangerous precedence. I also ask why there are no comments from Economic Development on page 117. If I was sitting on your platform I'd do more questioning than has been done thus far. Nothing is too stupid to ask. Now is the time to do it."

Mr. Snyder noted the space could not be made a commercial space because the entrance was on an alley which Council did not allow another business to do a while back. Mr. Chen advised the space was intended to be used by either of the tenants.

Mr. Keebler noted the Planning Commission felt this was a innocuous request but the more he thought about it he did not want to support it. Mr. Keebler advised when the language was rewritten for the Uptown District zoning a lot of changes were made to make things easier and to calculate densities. Mr. Keebler noted this space was designed to be part of the storefront and the fact they chose to divide it off was something they chose and for that reason it was a slippery slope. Mr. Keebler advised density was 2 to 1 residential to commercial with no residential on the first floor and if Council approved one conditional use request where would it stop? Mr. Keebler noted even though he recommended approval during the Planning Commission process he now felt it was inappropriate.

Mr. Keebler advised the space could not be monitored, he could potentially see people sleeping there on weekends and there was no reason to approve it. Mr. Keebler noted it would not raise income for the owner and it was not a hardship.

Mr. Snyder noted it was a useless space that could not be used for anything.

Ms. Southard inquired how large the space was.

Mr. Scott Webb, Agent, advised the space was just under 400 square feet. Mr. Webb noted the new zoning guidelines for the Uptown District did create a fair and equitable way to build buildings Uptown but they were not perfect in every case. Mr. Webb advised this building was extraordinarily narrow and very deep and the space was there because the .7 minimum lot area had to be met. Mr. Webb noted the opportunity to use the space for a separate tenant was not available because there was a significant amount of grade in the building and room could not be made ADA accessible. Mr. Webb advised the developer had to build this much space whether or not a tenant that could use a space 30 feet wide by 140 feet deep. Mr. Webb noted the building was leased to its greatest extent. Mr. Webb advised with regard to monitoring, the building was under 24 hour video surveillance. Mr. Webb noted his client had no interest in allowing a party room. Mr. Webb advised there were extenuating circumstances that made it difficult if not impossible to rent this as a separate space.

Mayor McKeehan noted 400 square feet was not much space and he did not know how it could be separated for two uses.

Mr. Smith moved to adopt the Ordinance. Mr. Blackburn seconded. The motion failed by the following roll call:

AYE: Mayor McKeehan (1)

NAY: Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mr. Keebler (6)

ABS: None (0)

ORDINANCE **ZONING MAP AMENDMENT**

An Ordinance No. 3312 Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Property Located On West Central Avenue (Parcels H4100106000017, H4100106000020 And H4100106000023) Oxford, Ohio And Rezoning The Property From R2MS (Single And Two Family Mile Square Residential) District To GB (General Business) District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the area in question was shown on page 139 of Council's packet. Mr. Chen noted the land was part of a voluntary agreement between the property owner and the Ohio EPA prohibiting the site to be used for residential purposes. Mr. Chen advised under the current zoning (R2MS) the property had no residual value and the Planning Commission recommended it be rezoned to GB to make it developable.

Mayor McKeehan advised the residential zoning designation was an oversight when the overall zoning map was updated.

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

Mr. Keebler moved to adopt Ordinance No. 3312. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3313 Approving A Conditional Use Permit To Permit A Mini Warehouse And Business Incubator Facility To Be Located At 801 S. Beech Street Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the Planning Commission recommended approval of the proposed adaptive reuse of the site. Mr. Chen noted the proposal was shown on page 191 of Council's packet.

Ms. Rousmaniere noted the site was south of Central Avenue and west of the railroad tracks.

Mr. Scott Webb, Agent, noted he would be happy to answer any questions. Mr. Webb advised Mr. Pulley, the property owner was also in attendance to answer any questions regarding the operation.

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

Ms. Rousmaniere advised she liked that there had been engagement with the community throughout this process. Ms. Rousmaniere noted the Pulleys talked to neighbors and some neighbors came to the Planning Commission hearing to complain about the proposal and afterwards they felt it was a good project. Ms. Rousmaniere advised it had been a very good process.

Ms. Southard noted the Fire Chief urged that a sprinkler system be installed in the proposed facility and inquired if Council could ask that to happen.

Mr. Keebler advised it had to be built according to the Building Code. Mr. Keebler noted he agreed with the Fire Chief in terms of the large building because from a firefighting viewpoint small cubicles inside a large building had a combustible load that was typically more than an average room. Mr. Keebler advised once a fire started it got very smoky and it was difficult to find which unit the fire was in. Mr. Keebler encouraged the owner to have the large building sprinkled but noted Council could not make it a condition for approval.

Mr. Keebler noted he felt this was a great reuse of the property and it was something needed in town. Mr. Keebler advised the proposal would substantially improve the current site.

Mayor McKeehan noted he shared Mr. Keebler's comments and the proposal could only improve the appearance of the area in question.

Mr. Snyder moved to adopt Ordinance No. 3313. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted at the last meeting several comments were made by a member of the public about the Rules of Council. Mr. Elliott noted it was stated that it took two members of Council to place an item on the agenda. Mr. Elliott clarified that only applied when the agenda was already published. Mr. Elliott advised the rules stated any member of Council may place an item on the Council agenda prior to the printing of such agenda.

Mr. Elliott advised Miami University's Alcohol Task Force released their report in March and it was available on Miami's website in the Student Affairs section. Mr. Elliott encouraged Council and members of the public to read the report.

Mr. Elliott updated Council and the public on the City's Municipal Electric Aggregation Program.

Mr. Kyger noted it was nice to see in Forbes Magazine that Oxford was the number one college town in the United States right now.

Ms. Rousmaniere encouraged everyone to vote yes on May 5th for the Lane Library levy.

Ms. Southard noted she was President of the Board for the Oxford Community Choice Pantry and they were having their volunteer appreciation event this week. Ms. Southard noted the board had many people to thank and the pantry appreciated everyone who assisted them.

Mr. Blackburn noted Saturday was the annual Kiwanis Pancake Day event and encouraged everyone to attend.

Mr. Smith advised the HAPC, McGuffey Museum and the Smith Library of Regional History would once again offer historic tours every Saturday in May. Mr. Smith encouraged everyone to check the City's website or the Oxford Press for the times and location of each tour.

Mayor McKeehan noted he participated in one of the historic tours last year and found it very interesting.

Mayor McKeehan advised Goodwill of Cincinnati agreed to allow the use of their building in Oxford for the ShareFest event this year noting it was a generous offer. Mayor McKeehan encouraged citizens to volunteer by helping with pick-ups or working at the store. Mayor McKeehan also encouraged citizens to donate un-used items for ShareFest and advised the items would assist the Family Resource Center, Butler County Children Services and other Butler County agencies.

ADJOURN

Ms. Rousmaniere moved to adjourn at 8:55 p.m. Mr. Smith seconded. The motion passed 7-0-0.