A regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, April 15, 2008 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie, Richard Keebler, Alysia Fischer, and Greig Rutherford. Doug Ross arrived at 9:21 p.m.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Jung-Han Chen, Community Development Director; Ms. Heidi Hill, Acting Finance Director; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

**ADJOURN TO
EXECUTIVE SESSION**

Ms. Currie moved to adjourn to Executive Session at 7:05 p.m. in accordance with Ohio Revised Code section 121.22 (G) for the purpose of discussing (1) Appointment of public officials and (3) Pending litigation. Ms. Fischer seconded. The motion passed by the following roll call:

AYE: Ms. Currie, Ms. Fischer, Mr. Keebler, Mr. Bogard, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

**RETURN FROM
EXECUTIVE SESSION**

Mr. Rutherford moved to return from Executive Session at 7:28 p.m. Ms. Currie seconded. The motion passed by the following roll call:

AYE: Ms. Fischer, Mr. Rutherford, Mr. Keebler, Ms. Currie, Mr. Bogard, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIENCE

Mayor Dana requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Fischer moved to approve the agenda. Mr. Rutherford seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION
'EARTH DAY'

Mayor Dana read the Proclamation and advised she would present the certificate on Saturday at the Earth Day festivities.

PROCLAMATION
'ARBOR DAY'

Mayor Dana read the Proclamation and noted it had been prepared by the Environmental Commission.

PROCLAMATION
'NATIONAL VOLUNTEER WEEK'

Mayor Dana read the Proclamation and advised the certificate would be presented by Mr. Rutherford during a luncheon at the Senior Center.

PROCLAMATION
'KIWANIS PANCAKE DAY'

Mayor Dana read the Proclamation and presented it to Mr. Bowers.

Mr. Charles Bowers, noted the Kiwanis Club had been able to support between 30 and 35 community organizations throughout its 51-year history in Oxford. Mr. Bowers stated the Kiwanis Club viewed this as a celebration of community and invited everyone to attend the Pancake Day event.

PUBLIC COMMENTS

Ms. Connie Elliott, 5201 College Corner Pike, stated she had received her first out-of-state application for her the Smokey and Tornado project from Indiana.

Mayor Dana congratulated Ms. Elliott.

Mr. Marvin Hurston, 170 Prevalent Drive, requested the City if at all possible to publish the rules and regulations regarding waste left behind by dogs being walked by their owners. Mr. Hurston outlined some of the problems stemming from irresponsible pet owners not cleaning up after their animals. Mr. Hurston suggested an article in the Oxford Press regarding the ordinances surrounding the issue.

Mr. J.C. Schroder, Executive Director, Oxford International Film Festival, noted the event took place April 10th through 13th. Mr. Schroder stated he would provide a more detailed report within the next few weeks. Mr. Schroder thanked the City and Council for their support for the festival. Mr. Schroder apologized for not sending personal invitations to each Council member. Mr. Schroder recognized several event supporters including the Oxford Visitors and Convention Bureau and the Chamber of Commerce. Mr. Schroder noted over 1500 people attended the film festival, including over 200 filmmakers. Mr. Schroder outlined several highlights stemming from the festival, including various advertising. Mr. Schroder thanked the many volunteers who participated.

Mayor Dana noted she saw a film on Sunday and thanked Mr. Schroder.

Ms. Fischer congratulated those who participated in the festival on their success and thanked them.

Ms. Kathleen Zien, 6060 Joseph Drive, referred to an article in the Miami Student quoting Mr. Schroder that ticket sales increased by about 250 from the 350 tickets sold in 2007. Ms. Zien asked for clarification.

Mr. Schroder stated it was indeed a misprint. Mr. Schroder noted last year's attendance was approximately 1200 with this year's attendance 1500.

Ms. Zien complimented the City on the plantings and bulbs around the courthouse. Ms. Zien noted concern regarding a building on the rear portion of the lot located at 115 West High which was in very poor condition. Ms. Zien stated the building was beyond repair and an eyesore. Ms. Zien felt the building should be demolished and removed for safety reasons. Ms. Zien referred to the building located at 117 West High and noted its condition. Ms. Zien addressed the parking situation at 115 West High and requested the reason for replacing the curb cut that was originally put in for a gas station. Ms. Zien stated she walked Walnut Street last Saturday morning, taking photographs and addressed the issue of weekend garbage. Ms. Zien suggested enforcement of fines for garbage violations. Ms. Zien offered a photo of the antique shop east of the courthouse and noted during business hours, there were usually items displayed front in the walkway area. Ms. Zien asked if this practice was allowed. Ms. Zien noted monthly meetings conducted in many precincts by the Chicago police department, and provided a format to the City Manager and Council. Ms. Zien requested follow up be provided to her inquiries regarding 115 and 117 West High Street, chronic off-campus property trash, and the display of merchandise at the antique shop at 114 West High.

Mr. Alan Kyger, 6164 Contreras Road, noted his presence as Chamber representative. Mr. Kyger thanked Chief Schwein for organizing a meeting with the Cincinnati Police Department regarding the Wine Festival. Mr. Kyger stated the meeting was very productive and worthwhile. Mr. Kyger noted the Wine Festival steering committee met yesterday. Mr. Kyger outlined the several committees. Mr. Kyger stated there were 17 artisans that would be spread throughout Uptown, inside businesses.

Mr. Kyger noted there were nine vineyards signed up, with the goal being ten. Mr. Kyger stated the Uptown Revitalization Committee had been meeting weekly.

Ms. Jen House, 209 Homestead, noted recently the off-campus senators distributed information regarding the outdoor furniture ordinance as well as trash and noise ordinances. Ms. House noted Get Together Week at Miami. Ms. House addressed the issue of dog waste and suggested students would be informed of the need to clean up after their pets. Ms. House noted this would be her last meeting and read a prepared statement. Ms. House introduced her replacement, Mr. Thad Boggs, a political science major from Washington Courthouse, Ohio.

Mr. Thad Boggs, thanked Ms. House for her tireless efforts in the past. Mr. Boggs addressed the fourth degree misdemeanor status of an outdoor furniture violation. Mr. Boggs noted in the past three weeks, six students had been cited for this violation. Mr. Boggs outlined his desire to increase students' sense of responsibility to the community starting with incoming freshman. Mr. Boggs stated he looked forward to working with Council in the coming year.

Mayor Dana thanked Ms. House for her time and participation.

Mr. Bogard noted his appreciation for Ms. House and her enthusiasm. Mr. Bogard wished Ms. House good luck in her future endeavors.

Mr. Rutherford stated how much he had enjoyed working with Ms. House. Mr. Rutherford noted he viewed Ms. House as an ambassador for the City. Mr. Rutherford thanked Ms. House for her service and stated he looked forward to reading about her in the future.

Ms. Fischer noted she had worked with Ms. House for two years. Ms. Fischer noted her appreciation for the way Ms. House handled her position.

Ms. Currie stated she had enjoyed Ms. House's enthusiasm and hoped Mr. Boggs would continue to be a ray of sunshine.

Mayor Dana invited a round of applause for Ms. House and thanked her.

CONSENT AGENDA

Mr. Bogard requested removal of item E. Resolution.

MINUTES

Minutes of the April 1, 2008 City Council Work Session. (Mary Ann Eaton, Deputy Clerk of Council)

Minutes of the April 1, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council and Janice Grill)

REPORTS

Report regarding the March 26, 2008 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the April 3, 2008 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Ms. Fischer moved to approve the consent agenda. Ms. Currie seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
FINANCE DIRECTOR

A Resolution by the Oxford City Council appointing __________, as Finance Director for the City of Oxford, and approving an employment agreement with __________, as Finance Director. (Prue Dana, Mayor)

Mr. Bogard moved to substitute the Resolution. Ms. Fischer seconded. The motion passed 6-0-0.

A Resolution No. 4344 by the Oxford City Council appointing Joseph G. Newlin, as Finance Director for the City of Oxford, and approving an employment agreement with Joseph G. Newlin, as Finance Director. (Prue Dana, Mayor)

Mr. Rutherford moved to adopt Resolution No. 4344. Mr. Bogard seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Dana, Mr. Bogard, Ms. Fischer, Mr. Keebler, Ms. Currie, Mr. Rutherford (6)

NAY: None (0)

ABS: None (0)

RESOLUTIONS

RESOLUTION
CONTRACT WITH
PFM ASSET MANAGEMENT

A Resolution No. 4345 authorizing the City Manager and Acting Finance Director to contract with PFM Asset Management LLC Investment Management Services for the management of the City's investable funds. (Heidi Hill, Acting Finance Director)

Ms. Hill stated the City received proposals from six candidates in response to its RFQ concerning management of assets. Ms. Hill stated the Investment Committee met and reviewed all six proposals and selected three candidates to conduct presentations. Ms. Hill noted upon final review, the Investment Committee suggested a continued working relationship with PFM Asset Management. Ms. Hill stated signing a new three-year contract would allow the new Finance Director time to acclimate himself before having to move forward on this issue.

Mr. Rutherford clarified the length of time of the contract.

Ms. Fischer thanked Ms. Hill for her hard work.

Ms. Fischer moved to adopt Resolution 4345. Ms. Currie seconded. The Resolution was adopted with the following roll call:

AYE: Mr. Bogard, Ms. Fischer, Mr. Keebler, Ms. Currie, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
NEW SUBCOMMITTEE

A Resolution No. 4346 amending Resolution No. 4215 by creating the Public Transportation Feasibility Subcommittee. (Doug Elliott, City Manager)

Mayor Dana explained this was a resolution that came back from the previous meeting where it was suggested that a feasibility subcommittee be folded into the ordinance for the parking and transportation advisory board.

Mr. Bogard clarified the purpose of the public transportation feasibility committee as outlined in the resolution shall be to assess the need for public transportation to serve the residents of the City of Oxford and present findings to the City Council and the parking advisory board.

Mr. Rutherford concurred with Mr. Bogard and referred to section four. Mr. Rutherford addressed the difference between a feasibility study verses a needs assessment. Mr. Rutherford suggested the removal of the word public from the title.

Mr. Keebler noted he did not feel a change in the wording would affect the committee's objectives, but would not oppose the change.

Ms. Currie stated she felt it was important to add needs assessment.

Ms. Fischer reiterated her desire that the committee study what was already in place as well as budgetary concerns and make recommendations based upon those. Ms. Fischer noted the importance of considering the population base whose needs were to be met.

Mr. Rutherford moved to amend the title to read a resolution amending Resolution No. 4215 by creating the Transportation Needs Assessment and Feasibility Subcommitee. Mr. Rutherford further moved to amend Section 3, noting it should read, "Council hereby establishes the Transportation Needs Assessment and Feasibility Subcommittee to assess the need for publicly available transportation within the City of Oxford." Mr. Rutherford further moved to amend Section 4, noting it should read, "The purpose of the Transportation Needs Assessment and Feasibility Committee shall be to assess the need for publicly available transportation to serve the residents of the City of Oxford and to present findings to the City Council and the Parking Advisory Board." Ms. Fischer seconded. The motion passed 6-0-0.

Mr. Bogard moved to adopt moved to adopt Resolution 4346 as amended. Ms. Currie seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Fischer, Mr. Keebler, Ms. Currie, Mr. Rutherford, Ms. Dana, Mr. Bogard (6)

NAY: None (0)

ABS: None (0)

RESOLUTION
FIREFIGHTER GRANT

A Resolution No. 4347 authorizing the City Manager to apply for the 2008 Assistance to Firefighter Grant Program with a 10% match. (Len Endress, Fire Chief)

Chief Endress noted this program had been in effect for several years. Chief Endress outlined the possible items to be purchased with grant money. Chief Endress stated people from the fire service and EMS would review all applications before recommendations were made. Chief Endress offered to address any questions or comments.

Mayor Dana asked what budget the ten percent match would come out of and Chief Endress advised the Capital or General Fund under Fire.

Mr. Keebler moved to adopt Resolution 4347. Mr. Bogard seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Fischer, Mr. Keebler, Ms. Currie, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL
BUDGET

An Ordinance Amending Ordinance No. 2990. Supplemental Budget Ordinance Number 1 To Make Supplemental Appropriations For Fiscal Year 2008. (Heidi Hill, Acting Finance Director)

Ms. Hill stated several needs were discovered for additional funding within the 2008 budget. Ms. Hill outlined various requests for supplemental funds. Ms. Hill addressed the modifications to the 2008 budget, which required Council approval, but did not include additional funding.

Chief Endress addressed the instruction portion, which involved EMS training.

Ms. Hill referred to the housing trust fund, and requested those funds be transferred at this time.

ORDINANCE
SCRC

An Ordinance Repealing Ordinance No. 2502 And Changing The Student/Community Relations Committee To The Student/Community Relations Commission. (Jung-Han Chen, Community Development Director)

Mr. Chen noted this issue was brought forth at the previous Council meeting by changing the Student Community Relations Committee to commission status. Mr. Chen stated the legislation outlined the composition of the membership and reflected comments made by Council members from the last meeting. Mr. Chen offered to address any questions or comments.

Ms. Jen House, 209 Homestead, noted her appreciation with the expediency of the legislation.

Mr. Keebler expressed concern with placing such a rigid meeting schedule in the ordinance.

Mr. Keebler moved to amend Ordinance 2502 to read, "the Commission shall meet not less than once monthly during the academic year." Ms. Fischer seconded. The motion passed 6-0-0.

Ms. Fischer referred to the current comprehensive plan, which referred to maintaining strong student/community relations.

ORDINANCE
SECOND READING

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For 3.26 Acres Of Land Located On The Northeast Corner Of U.S. 27 S. And Southpointe Parkway Oxford, Ohio And Rezoning The Property From R-3 (Multi-Family Residential) To GB (General Business) District. (Jung-Han Chen, Community Development Director)

Mr. Chen explained when the City initiated the original zoning change on this entire tract of land, this parcel was classified as R3 due to an oversight. Mr. Chen referred to the development agreement and suggested the oversight needed to be corrected to reflect that the zoning of the City needed to be consistent with the zoning designation in the development agreement. Mr. Chen highlighted the concerns regarding design voiced by the Planning Commission. Mr. Chen noted the site was commercial in the past and offered to address any questions or concerns.

Dr. Orie Loucks, 6195 Fairfield Road, requested Council deny or at the very least table the request for rezoning. Dr. Loucks noted the desire not to have a commercial area on Highway 27 at the entrance to the City. Dr. Loucks provided background regarding the Southpointe development. Dr. Loucks referred to the contentious nature of the past meetings concerning the property. Dr. Loucks suggested this was not just an inadvertent oversight as alleged.

Dr. Dave Gorchov, 101 Peabody Drive, concurred with all of Dr. Loucks' remarks. Dr. Gorchov noted he felt it disingenuous to refer to this as an oversight. Dr. Gorchov voiced his concern with the development of a gas station at the site. Dr. Gorchov referred to page 58 of the agenda, and questioned several items regarding the application. Dr. Gorchov asked why the City was making application.

Ms. Betty Rogers, 106 Peabody Drive, concurred with the previous speakers. Ms. Rogers asked if the documents were available to the public for review.

Mr. Calvin Conrad, 5226 Westgate Drive, voiced concern with the change in zoning. Mr. Conrad noted he obtained a July 17, 2007 staff summary report, which suggests staff was recommending three separate zoning designations for the site: the already existing multi-family portion, R3; Office and Light Industry; and R1A, single family residential with a PUD overlay. Mr. Conrad noted there was no reference to commercial. Mr. Conrad stated the development agreement was attached. Mr. Conrad highlighted several sections of the development agreement.

Mr. Conrad referred to the vicinity map and the overall development plan, which referred to existing apartment development, future condominium development and proposed Technology Park. Mr. Conrad noted within the proposed technology park, there was a structure done in three small boxes with parking around it on a location approximately 500 feet from Route 27. Mr. Conrad addressed the appearance of entrances into the City. Mr. Conrad encouraged Council to deny the request for a zoning change.

Mr. Scott Webb, Architect, stated this portion had always been a commercial site and noted the hotel that was previously located on the site. Mr. Webb stated when his client purchased the additional 175 acres; they purchased this parcel as well. Mr. Webb stated several public hearings were held in the county, all of which approved this development. Mr. Webb stated the property was commercial throughout the process. Mr. Webb noted 60 acres of the property was designated specifically for a tech park. Mr. Webb stated Council passed legislation recently in favor of a tech park, with Miami University asking for proposals for up to 50,000 square feet of tech park buildings.

Mr. Webb addressed the traffic concerns at the site. Mr. Webb stated a traffic study had been performed and submitted to the City. Mr. Webb suggested if all development took place, perhaps ODOT would allow a traffic light, but it was up to ODOT and not the City.

Mr. Webb briefly outlined the history of the annexation of the property into the City, noting the oversight was the small GB parcel, which was never put on the map as it came into the City. Mr. Webb suggested this was not a change nor a surprise, but an administrative clerical error and encouraged Council to clear it up as the Planning Commission had.

Mr. Bill Houk, 6 Bull Run Drive, noted he did not believe this was an oversight. Mr. Houk stated he felt if the hotel had been left where it was, the PUD would not have been approved. Mr. Houk stated the removal of the hotel and the addition of the berm improved the entrance. Mr. Houk noted changing the zoning designation would be a terrible idea for Oxford. Mr. Houk encouraged Council not to change the zoning.

Mr. Dave Judy, Miami Western Drive, stated the first notification he received concerning the annexation of this property was from the county. Mr. Judy noted he received no notification regarding the proposed zoning change. Mr. Judy noted he did not feel commercial development south of town was good for the City, and further noted traffic concerns. Mr. Judy questioned the timing of the realization of the oversight. Mr. Judy urged Council to decline the proposal.

Mr. Jay Elliott, 5127 Bonham Road, noted his agreement in opposition to the zoning change. Mr. Elliott reminded Council of the need to serve the community first as opposed to the individual. Mr. Elliott stated as one of three architects in town, he always had two clients that he worked for, one who signed the check as well as the general public and both clients must be served.

Ms. Kathleen Zien, 6060 Joseph Drive, noted this was not just an amendment to correct an error. Ms. Zien stated according to her notes, on April 18, 2006, Resolution 4170 authorized the City Manager to enter into a development agreement with 4-Leaf. Ms. Zien stated there were no exhibits or drawings provided. Ms. Zien noted Ms. Howington had informed Council the drawings were too large to reproduce and too late coming in. Ms. Zien suggested Council voted without critical items for review. Ms. Zien referred to the April 18, 2006 minutes, which stated, "Ms. Fischer was uncomfortable supporting an agreement not approved under City rules and may not be in the City's best interests. By approving the development agreement, the City was handing things to the developer and making it very easy for them to get out of certain parts of the agreement. She did not see conclusive evidence this was in the best interest of the City and in the best interest of taxpayers." Ms. Zien quoted from the most recent Planning Commission meeting, "Ms. Dale noted Southpointe Development was approved through the County's Planning Commission, subsequently annexed into the City and finalized last year. This 3.26 acre corner out lot was inadvertently overlooked in the process. Mr. Keebler noted this was previously reviewed in Planning and merely an oversight." Ms. Zien stated simply because something was there previously as a hotel, but since has been bermed up surrounding residential does not mean it was grandfathered as commercial. Ms. Zien noted the services the City would now cover for the annexed property, including police, fire and EMT. Ms. Zien stated if the property was primarily student occupied, there was no income tax generated to pay for those services. Ms. Zien noted she had previously requested statistics regarding occupancy. Ms. Zien referred to last week's Planning Commission agenda page 69, which read, a decision was made by the owner/developer that internal roads within the development would now be private rather than public dedicated streets. Ms. Zien further quoted agenda minutes. Ms. Zien referred to a recent comp plan meeting where discussions were held regarding commercial development on South 27.

Mayor Dana reminded Ms. Zien of time constraints.

Ms. Zien referred to the support materials from the police chief included in the Planning Commission agenda last week. Ms. Zien referred to the lack of comments made by Chief Schwein regarding the proposed drive-through bank at 10 North Locust.

Mayor Dana reminded Ms. Zien the subject discussion regarded 27 southbound.

Ms. Zien noted while Chief Schwein did not address the 10 North Locust property, he addressed the subject issue with comments. Ms. Zien referenced several gas stations and convenience store proposals which had failed. Ms. Zien addressed Stewart Square.

Mayor Dana asked Ms. Zien to conclude her remarks.

Ms. Zien stated collective remarks could not be disregarded. Ms. Zien referred to page 24 of the agenda where Mr. Rutherford felt the development agreement was in place and should be honored. Ms. Zien noted the way the agreement was put in place should cause concern.

Mr. Scott Webb, Architect, noted if there was an agreement or a promise made by a developer that was not kept, the City would seek enforcement.

Ms. Fischer addressed the process. Ms. Fischer noted two years ago in a resolution, Council was provided the development agreement without Exhibits A through H even though the City had received them. Ms. Fischer noted on page one, the agreement states "to develop a planned commercial, business and single and multi-family residential project." Ms. Fischer stated Council was bound to the exhibits even though they didn't have them. Ms. Fischer referred to page 43 of the draft community choices results for the comprehensive plan where the question states, do you support the concept of a mixed use node on US 27 as shown on the map.
Ms. Fischer stated technically Council could deny the zoning, but there would be repercussions.

Mr. Keebler noted his agreement that US 27 not become a commercial strip. Mr. Keebler stated he intended to vote in favor of the rezoning. Mr. Keebler noted this parcel had been zoned commercial since he was a child. Mr. Keebler addressed the screening and lack of accessibility to US 27. Mr. Keebler reminded everyone the issue before Council did not involve a gas station.

Ms. Currie concurred with Mr. Keebler that the agreement was legally binding. Ms. Currie noted she did not feel this particular parcel would denote the beginning of a slippery slope leading to the creation of a corridor. Ms. Currie acknowledged the deep community concern.

Mr. Bill Houk, requested a point of order and asked for clarification of the agreement being discussed.

Mr. McHugh stated the agreement Council was referring to was the development agreement.

Ms. Fischer noted it was the development agreement passed by resolution on April 18, 2006.

Mr. Houk asked if the agreement addressed a commercial zoning.

Mr. McHugh referenced the first recital, which discusses commercial.

Mr. Houk asked if the signed development agreement constitutes a legal document.

Mr. McHugh noted there was a development agreement approved by Council with an authorized signature. Mr. McHugh outlined several pertinent provisions.

Ms. Fischer referred to page 7(h) of the agreement, referring to the sidewalk that was supposed to be completed on or before July 1st of 2007 by the City. Ms. Fischer noted the City had not completed the sidewalk.

Mr. Elliott stated he had evaluated the sidewalk issue and suggested approaching the developer to amend the agreement. Mr. Elliott explained the possibility of installing a temporary sidewalk.

Mr. Rutherford noted there was some information he still needed in order to make a decision regarding the GB zoning. Mr. Rutherford suggested he would like to review the original exhibits before making a decision. Mr. Rutherford referred to the last comprehensive plan meeting where discussion took place regarding whether or not that particular parcel should be zoned commercial.

Mr. Ross stated if Council voted no, this issue could be brought back. Mr. Ross noted the developer had worked well with the City in the past. Mr. Ross suggested innovative design could take place.

Mr. Bogard noted his agreement with separating the site development from the ordinance presently before Council. Mr. Bogard stated this had previously gone through the County Zoning, County Planning and County Commissioners. Mr. Bogard noted there was a mistake and it needed to be corrected. Mr. Bogard noted he planned to vote in favor of the ordinance.

Mayor Dana stated she agreed with a lot of the stated comments. Mayor Dana explained the concept of a mixed-use node on US 27. Mayor Dana noted her desire to separate the zone change with site development.

Ms. Kathleen Zien, asked if the document referenced by Mr. McHugh is the same document provided to Mr. Conrad.

Mayor Dana stated it was the same document.

Ms. Currie referred to Mr. Rutherford's inability to move forward without further information. Ms. Currie noted her desire not to compound previous mistakes by moving forward without proper documentation.

Mr. Chen referred to the County Commissioners Resolution Number is 04-123188 when the Commissioners approved the preliminary PUD, referencing a commercial area along 27. Mr. Chen noted it also stated there would be no access from 27 South. Mr. Chen displayed a map showing the 3.26 acres as commercial.

Ms. Fischer stated the public did not have these documents before the second reading.

Mr. Webb noted all these documents are publicly filed.

Mr. Rutherford asked if the map presented is the Exhibit D referenced in the agreement.

Mr. Chen stated he thought it was Exhibit D.

Ms. Fischer asked if the map would then be entered as Exhibit D into the minutes of the meeting.

Mr. Rutherford made several points regarding the map and asked for a high degree of certainty that the map does represent Exhibit D. Mr. Rutherford agreed with Ms. Currie tabling would be appropriate.

Mayor Dana noted she would like to avoid tabling the matter.

Mr. Elliott advised the matter could be tabled until Council was provided all essential documentation.

Mr. Keebler moved to table the ordinance pending receipt of Exhibit D for Council evaluation followed by a vote of Council without further public debate. Ms. Currie seconded.

Ms. Fischer asked if barring public debate was part of the motion.

Mr. Keebler clarified it's for Council to conclude the decision started.

Ms. Currie removed her second to the previous motion.

Mr. Keebler noted there had been extended public comment on this matter.

Mr. Bogard seconded Mr. Keebler's motion. The motion failed by the following roll call:

AYE: Mr. Keebler, Mr. Bogard (2)

NAY: Ms. Currie, Ms. Dana, Ms. Fischer, Mr. Rutherford, Mr. Ross (5)

ABS: None (0)

Mr. Ross noted his distress with not allowing the public to speak following the introduction of new documentation.

Mr. Rutherford moved to table the second reading of the ordinance until the next City Council meeting at which time Exhibit D shall be provided to City Council for their review and shall be made available to the public within the context of the agenda. Ms. Currie seconded. The motion passed with the following roll call:

AYE: Ms. Currie, Mr. Rutherford, Mr. Ross, Mr. Keebler, Mr. Bogard, Ms. Dana (5)

NAY: Ms. Fischer (1)

ABS: None (0)

Ms. Fischer noted she would like to see all the exhibits.

Mayor Dana suggested each Council member might want to perform research as well.

ANNOUNCMENTS

Mr. Elliott noted preliminary engineering was complete regarding the project on US 27 and environmental reviews have begun.

Mr. Elliott congratulated Council on their appointment of Mr. Newlin as Finance Director. Mr. Elliott noted 40 applications were received and four individuals were selected to undergo the interview process. Mr. Elliott noted Mr. Newlin comes from the City of Avon Lake where he had been the Finance Director since 2001. Mr. Elliott stated Mr. Newlin has a BA degree from Miami University as well as a BA from the University of Akron.

Mr. Elliott congratulated Ms. Hill for the excellent job she had done in her interim position.

Mr. Elliott stated the City received 51 applications for the position of Economic Development Director, which was appointed by the City Manager. Mr. Elliott advised he narrowed the field down to five candidates who were interviewed by a panel. Mr. Elliott announced he selected Alan Kyger to be the City's next Economic Development Director. Mr. Elliott outlined Mr. Kyger's many community activities and leadership qualities.

Mr. Elliott noted he attended some of the shorts at the film festival and congratulated those involved.

Mr. Ross noted he was looking forward to seeing what comes along in economic development as it is one of Mr. Elliott's strong points. Mr. Ross invited any members of Council who might be interested in drafting a resolution regarding the But-Oxford connector.

Mr. Rutherford congratulated Mr. Kyger. Mr. Rutherford thanked all those who came to speak to Council and encouraged them to continue to voice their concerns.

Mr. Bogard congratulated Mr. Kyger. Mr. Bogard expressed concern with the growing deer population. Mr. Bogard encouraged the community to be cautious when driving.

Ms. Fischer encouraged a better process for bringing forth annexation agreements in the future. Ms. Fischer voiced concern over the perceived lack of public confidence. Ms. Fischer stated government was slow. Ms. Fischer voiced concern with the second sentence regarding the meeting procedure located in the agenda.

Mr. Keebler congratulated Mr. Kyger. Mr. Keebler reiterated Mr. Kyger's comments concerning the Uptown Revitalization Committee and the productive meetings that were taking place.

Ms. Currie congratulated Mr. Kyger.

Mayor Dana noted she viewed the Planning Commission meeting utilizing the Granicus system.

Mayor Dana thanked Council and HAPC for the earlier work session.

Mayor Dana noted Oxford was ahead in the recycling contest.

Mayor Dana noted a tree planting at the TRI Community Center.

Mayor Dana noted the Farmer's Market Saturday, 9:30 to 11:30.

Mayor Dana noted a report scheduled for the May 20th Work Session by the 2010 campaign committee.

Mayor Dana congratulated Mr. Kyger.

ADJOURN

Mr. Fischer moved to adjourn at 10:39 p.m. Mr. Rutherford seconded. The motion passed 7-0-0.

A work session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, April 15, 2008 at 6:00 P.M. Those Council members present were, Ken Bogard, Alysia Fischer, Kate Currie and Richard Keebler. Greig Rutherford arrived at 6:14 p.m.

Staff members present: Doug Elliott, City Manager; Jung-Han Chen, Community Development Director; Steve McHugh, Law Director and Mary Ann Eaton, Deputy Clerk of Council.

Also present were members of the Historic and Architectural Preservation Commission, Prue Dana, Susan Kay, Laura Henderson, Kim Peterka, Howell Lloyd, and Mike Smith.

APPROVAL OF AGENDA

Mr. Bogard moved approval of the Agenda. Ms. Currie seconded. The motion carried 5-0-0.

The purpose of the Work Session was for the Historic and Architectural Preservation Commission to present their proposed brochure and Historic Marker Program to Council for review.

Council discussed the proposed Historic Preservation brochure with members of the Historic and Architectural Preservation Commission and offered several suggestions.

Council discussed the Historic Marker Program with members of the Historic and Architectural Preservation Commission and offered several suggestions. Council requested the Commission to refine the program and bring it back to them at a later date for final review.

ADJOURNMENT Mr. Keebler moved to adjourn at 7:01 p.m. Ms. Currie seconded. The motion carried 6-0-0.