A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, May 15, 2012 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan, Kate Rousmaniere and Steve Snyder. John Harman was excused.

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

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION 'EMS WEEK'

Mayor Keebler read the Proclamation and presented it to Lieutenant Johnny Smith of the Oxford Fire Department. Lieutenant Smith thanked Council for the Proclamation and for their support of the Fire and EMS Division.

PUBLIC COMMENTS

Ms. Prue Dana, 6314 Fairfield Road, addressed Council as a citizen and a member of the Board of Zoning Appeals. Ms. Dana expressed her disappointment that the owners of La Piñata restaurant placed a temporary sign facing the municipal parking lot on their building. Ms. Dana noted the Historic and Architectural Preservation Commission (HAPC) denied the original sign due to its direct illumination and the desired placement of it and the Board of Zoning Appeals (BZA) followed with the same denial. Ms. Dana advised the BZA looked at their decision standards and felt the size, placement and illumination of the proposed sign would make a substantial difference in the neighborhood. Ms. Dana advised the business installed a temporary sign which according to the zoning code, could be displayed for 14 days, 6 times a year for special occasions. Ms. Dana noted she felt this would set precedence and other businesses would want to place signs on the sides of their buildings. Ms. Dana noted she felt temporary signage could ruin the improvements to the Uptown and the beautiful buildings that people had created and built. Ms. Dana noted her hope Council would look at the temporary sign language and help decide how to keep the Uptown looking as nice as possible but limit signage to the front of businesses.

Mr. Alan Kyger, addressed Council as a Chamber of Commerce representative. Mr. Kyger advised the Chamber of Commerce would hold its annual Wine Festival on Saturday in the Uptown parks. Mr. Kyger noted he provided Council with a site map of the event which would include 7 local food vendors and 24 artists. Mr. Kyger advised there would be live music throughout the event headed by Lisa Biales. Mr. Kyger noted as a new feature this year, Carol Dockum, Executive Director of the Chamber of Commerce, was rallying for everyone to come to the Uptown Park at 7:00 p.m. to toast to the City of Oxford and its beautiful Uptown. Mr. Kyger advised tickets for the event could be purchased on line.

CONSENT AGENDA

MINUTES

Minutes of the May 1, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the May 2, 2012 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

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

RESOLUTION
CONTRACT WITH
HERITAGE LAND SERVICES, INC.

A Resolution No. 4677 authorizing the City Manager to amend an agreement with Heritage Land Services, Inc. (formerly known as M*E Companies) for U.S. 27 South right-of-way acquisition services at a cost of $249,915.00 plus a contingency amount of ten percent (10%) of the contract price, or $24,992.00, for a total cost not to exceed $274,907.00. (Mike Dreisbach, Service Director)

Mr. Bogard inquired what the timetable was for this phase of the US 27 South improvement project. Mr. Dreisbach advised the project should begin in March of 2014 and noted the Ohio Department of Transportation just cleared the right-of-way plan for this project last week. Mr. Dreisbach advised staff needed Council's approval of the proposed Resolution to start purchasing the needed right-of-way. Mr. Dreisbach noted ultimately the local funds spent on the project would be reimbursed through a federal earmark.

Mr. Bogard advised this was the first phase of the US 27 South improvement project. Mr. Bogard noted there were 36 parcels to acquire so the project could begin in 2014. Mr. Bogard advised the right-of-way was necessary for the sidewalks and shoulders to be installed on each side of the roadway improvement. Mr. Bogard noted he looked forward to the project commencing and being on time.

Mayor Keebler inquired if the pricing was comparable with what the City had paid in the past for these services.

Mr. Dreisbach advised the pricing was reasonable although slightly higher than the cost for the US 27 North right-of-way acquisition costs since more work was involved with these parcels. Mr. Dreisbach noted when compared to other projects in the state, it was a reasonable figure.

Mr. McKeehan inquired if the City had experience with the proposed contractor and Mr. Dreisbach advised yes.

Mr. Blackburn requested that Council receive a copy of the right-of-way plan and Mr. Dreisbach advised he would provide a copy to the full Council.

Mr. Snyder moved to adopt Resolution No. 4677. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCE
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3159. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2012. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 16 of the agenda noting the first item in the proposed Supplemental Budget dealt with estate tax that was received last week and estate tax was never budgeted for. Mr. Newlin advised the second item dealt with a decrease in revenue associated with the Wastewater Treatment Plant improvements.

Ms. Rousmaniere inquired if the City would not receive estate tax in the future due to the state bill that passed last year. Mr. Newlin advised the bill would be effective in January of 2013 and the City may receive monies in 2013 from estates that did not settle prior to the end of 2012.

ORDINANCE
SECOND READING

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3173 Approving A Conditional Use Permit To Allow A Fraternity House In The Single & Two-Family Mile Square Residential (R2MS) District At 301 E. Sycamore Street, Oxford, Ohio With One Condition. (Jung-Han Chen, Community Development Director)

Mr. Perry advised the Community Development Department had no new or additional information to add to the proposed Ordinance.

Mr. Snyder noted Council discussed the proposed fraternity house at the last meeting and nothing had changed since then.

Mr. Blackburn moved to adopt Ordinance No. 3173. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised ODOT contacted the City last week regarding the transportation of 4 oversized cold boxes from the Ohio River to Air Products and Chemicals, Inc. in Middletown. Mr. Elliott noted the interstate could not be used for transporting the cold boxes as there was not enough underpass clearance. Mr. Elliott advised the cold boxes would be transported on US 27 N. then detour before the CSX railroad crossing in McGonigle into Hamilton and north on route 177.

Mr. Elliott advised the brick restoration project on High Street and the waterline project on Patterson Avenue were both progressing very well. Mr. Elliott noted legislation for some paving projects would be included on Council's next agenda.

Mr. Elliott encouraged everyone to attend the Wine Festival on Saturday noting it would be an excellent event.

Mr. Kyger noted the Wine Festival was free of charge and open to the public. Mr. Kyger advised the only cost was for the wine and beer tastings.

Ms. Rousmaniere noted she received comments from citizens who were concerned about the large parking lot that Miami University constructed on Bonham Road. Ms. Rousmaniere encouraged concerned citizens to meet with the Oxford Township Trustees, a City Councilor or staff member and a Miami University representative to get clarity on how the parking got there and how to prevent such surprises in the future.

Mr. Blackburn encouraged everyone to attend the Wine Festival on Saturday.

Mr. Bogard congratulated Mr. Dreisbach, his staff and the City Manager for obtaining a grant for brick restoration on S. College Avenue which would occur in the summer of 2013. Mr. Bogard noted after attending other transportation meetings and reporting on the projects in Oxford, some of his colleagues visited Oxford and enjoyed the ambiance and quaintness of the City.

Mr. Bogard advised at the recent OKI meeting the Executive Director discussed the urgency of replacing the Brent Spence Bridge on a faster timetable. Mr. Bogard noted the bridge replacement was originally scheduled to be completed by 2023 and OKI would like to accelerate the project to be completed by 2018 through a public/private partnership. Mr. Bogard noted the bridge was a very important artery with respect to the nation's commerce.

Mr. Snyder suggested that Council discuss the issue Ms. Dana brought forth with regard to signage in the Uptown district.

Mayor Keebler noted Mr. Perry addressed the sign in question as a temporary sign and it was fully within the zoning code's current regulations. Mr. Perry advised the zoning code allowed temporary signage for special circumstances such as the opening of a new establishment. Mr. Perry advised the Board of Zoning Appeals (BZA) denied the variance for an illuminated, channel lettered sign to be placed on the west side of the building. Mr. Perry noted instead of using that sign La Piñata placed a banner on the west side of the building which complied with the zoning code for temporary signage and it could be displayed for 14 days up to 6 times per year for special events. Mr. Perry advised the BZA denial did not extend to temporary signage. Mayor Keebler advised at one time the Historical and Architectural Preservation Commission (HAPC) wanted to ban temporary signs altogether. Mayor Keebler noted temporary signs had to be placed on the principal building below the lowest residential units. Mayor Keebler advised if temporary signs appeared more and more in areas Council didn't think were appropriate, Council would consider revising the temporary signage regulations. Mr. Bogard suggested that Council look at proposed legislation to address the matter. Mr. McKeehan advised he was not in favor of limiting the use of temporary signs and noted Oxford had a number of policies and procedures that were anti-business. Mr. McKeehan noted his hope the owners of La Piñata were not 'thumbing their nose' at the HAPC but rather trying to develop their business. Mayor Keebler agreed with Mr. McKeehan and noted he felt the banner was appropriate for the new business. Mayor Keebler noted temporary signs needed to be monitored by Mr. Perry and Mr. Chen and if there was a proliferation of them causing issues there could be a couple of simple fixes.

ADJOURN

Mr. Bogard moved to adjourn at 8:01 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.