A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, May 17, 2011 at 7:15 p.m. Those members present were Ken Bogard, Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan.

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

ADJOURN TO EXECUTIVE SESSION

Ms. Currie moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(4) for the purpose of discussing Collective Bargaining strategies. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to adjourn from Executive Session at 7:32 p.m. Mr. Bogard seconded. The motion passed 7-0-0.

Mayor Keebler advised May 15th through 21st was National Police Week and called for a moment of silence for fallen officers nationwide and in particular for Sergeant Brian Dulle of the Warren County Sheriff's Office who was killed in the line of duty last week.

Mayor Keebler offered condolences to the family of former City Councilor George Goodell who passed away last week at the age of 89. Mayor Keebler noted Mr. Goodell was a finance professor at Miami University, a WWII veteran, a lifetime VFW member and he graced the public by playing "Taps" every year at the Veteran's Day Celebration.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. McKeehan moved to approve the agenda. Ms. Currie seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION 'EMERALD ASH BORER AWARENESS WEEK'

Mayor Keebler read the Proclamation and presented it to Mr. Dreisbach.

PUBLIC COMMENTS

Ms. Bobbe Burke, 722 David Drive, introduced Ms. Jenny Levering the new Director of the Cliff Alexander Office of Fraternity and Sorority Life at Miami. Ms. Burke advised Ms. Levering came to Miami University from the University of North Carolina. Ms. Burke noted in the second semester Ms. Levering was instrumental in helping NIC and the Fire Department schedule all of the Fraternity inspections.

Ms. Jenny Levering, 7 Autumn Drive, advised she was honored to be in Oxford as the new Director of Fraternity and Sorority Life and noted her hope to build, rebuild or renew the partnerships between Fraternities and Sororities and the City of Oxford. Ms. Levering advised some phenomenal work was done in Chapel Hill with regard to fire safety, fire prevention and house management and she was bringing that level of experience with her to Oxford. Ms. Levering noted there were great partnerships between the university, Town Council, Fire Department, Police Department and parents and she looked forward to continuing those partnerships with Chief Detherage and his staff. Ms. Levering discussed a new program that would roll out in the fall which would hold Greek organizations to a higher level of accountability. Ms. Levering encouraged Council to contact her with any concerns or questions and noted her office was a resource for Council, the Greek organizations, alumni and parents.

Mayor Keebler wished Ms. Levering continued success in her new position.

Mr. Ken Percheck, brought to Council's attention the need to change a well intentioned law that required landlords to keep heat on from October 15th to May 15th regardless of the weather even if residents could not turn it off. Mr. Percheck noted last week the temperature was in the 80's and it was 104 degrees in some apartments without air conditioning. Mr. Percheck advised he had air conditioning on in his apartment and it was 87 degrees. Mr. Percheck reiterated the need to modify the law so residents would not suffer horribly like they did last week.

Mayor Keebler advised there may be some misconception about the regulation that the heat was available verses being on. Mayor Keebler asked Mr. Percheck to discuss the situation with Mr. Chen and let him know what the specific problems were. Mayor Keebler noted the problems may need to be addressed with a specific landlord or a specific individual due to a misunderstanding.

Ms. Currie advised she spoke to Mr. Percheck several times last week. Ms. Currie noted it was her understanding from talking to the Community Development Department that the regulation required heat to be provided but not necessarily turned on. Ms. Currie advised at the Parkview Arms complex the boilers were left on and the radiating heat from them caused the apartments to be overheated. Mayor Keebler advised Council would take a good look at the situation.

CONSENT AGENDA

MINUTES

Minutes of the May 17, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the May 4, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the May 4, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTIONS

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4603 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, August 19, 2011 from 8:30 p.m. to 1:00 a.m. at Cook Field on Miami's campus for a Campus Activities Council sponsored concert. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4604 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, September 16, 2011, from 9:00 p.m. to 1:00 a.m. on the patio at the Shriver Center on Miami's campus for the 17th annual party on the patio sponsored by Miami Entertainment After Dark. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
CONTRACT WITH MIAMI VALLEY
INTERNATIONAL TRUCKS, INC.

A Resolution No. 4605 authorizing the City Manager to enter into a contract with Miami Valley International Trucks, Inc. for the purchase of a 2012 International 7400 cab and chassis and specified options at discounted state contract pricing at a cost not to exceed $92,764.89. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

**RESOLUTION
COPS GRANT**

A Resolution No. 4606 of Council supporting the submission of a grant application for the U.S. Department of Justice, Office of Community Oriented Policing Services for the Cops Hiring Program grant in the amount of $247,000 over a three year period. (Steve Schwein, Police Chief)

Mr. Elliott advised this was a grant opportunity to hire police officers and/or rehire laid off officers and staff was asking to apply for funding for one position. Mr. Elliott noted there were 4 vacant positions in the Police Department for which a Civil Service examination had been given and staff was reviewing the results. Mr. Elliott advised staff was looking to fill some of the vacant positions and the grant if successful could fund one of the positions for three years.

Mr. McKeehan inquired if a new position would be created by accepting the grant and Mr. Elliott advised no.

Mayor Keebler noted if the grant was successful Council would need to adopt a Resolution to accept it.

Mr. Blackburn moved to adopt Resolution No. 4606. Mr. Harman seconded. The motion passed 7-0-0.

**RESOLUTION
AGREEMENT WITH
DUKE ENERGY RETAIL SALES, LLC.**

A Resolution No. 4607 authorizing the City Manager to enter into an agreement with Duke Energy Retail Sales, LLC for the procurement of electricity generation and transmission for the City's consumption for a period of twenty nine (29) months beginning January 1, 2012. (Mike Dreisbach, Service Director)

Mayor Keebler advised there was a substitution for the Resolution contained in the agenda that simply added the weighted kilowatt rate to the Resolution.

Mr. Blackburn moved to substitute the Resolution contained in the agenda for the revised Resolution. Ms. Currie seconded. The motion passed 7-0-0.

Mr. Dreisbach addressed his staff report as presented on pages 30 and 31 of the agenda noting a significant amount of money was budgeted for electricity. Mr. Dreisbach noted in an effort to save money the City looked for a fixed rate for electricity for a substantial number of months to lock in today's lower prices. Mr. Dreisbach advised an invitation to bid was advertised and two qualified companies responded with Duke Energy Retail Sales being the lowest bidder at 5.59 cents per kilowatt hour for a period of 29 months. Mr. Dreisbach noted the City expected to save $200,000 over the 29 month period and the rate was 30% lower than what the market rate was forecasted to be.

Mr. Dreisbach advised Mr. John Finnegan from Duke Energy Retail Sales was in attendance if Council had questions specifically for him.

Mr. Blackburn noted the City was also saving on street lighting by changing over to LED and Mr. Dreisbach advised Duke gave the City the discounted rate for street lighting immediately because it was off peak load even though the contract would not go into effect until January.

Mr. Rutherford clarified that the LED lights would be installed for traffic lights not street lights.

Mayor Keebler noted the bid was placed on the open market with Duke providing the best rate and he felt due diligence had been done with regard to selecting the electric provider.

Mr. McKeehan inquired how the 5.59 cents per kilowatt hour compared to the current rate and Mr. Dreisbach advised the current rate was 7.4 to 8 cents per kilowatt hour.

Mr. Harman moved to adopt Resolution No. 4607. Ms. Currie seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

None.

ORDINANCE
SECOND READING

An Ordinance No. 3149 Repealing Oxford Codified Ordinance Chapter 1101, Subdivision Regulations, And Adopting New Oxford Codified Ordinance Chapter 1101, Subdivision Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen advised at the last meeting two questions were raised by Council and he hoped the memo he provided last Friday clarified the matters regarding street connectivity and which professionals should prepare preliminary and final subdivision plats.

Mr. Rutherford noted concerns with only allowing an engineer or surveyor to submit preliminary and final subdivision plats and advised an architect should be able to as well. Mr. Chen and Mayor Keebler addressed the concerns and Mayor Keebler noted this was the normal course of business and trying to broaden it could cause some unintended consequences.

Ms. Currie referred to two areas of the proposed subdivision regulations that dealt with slopes of 15% or more and advised the language should be the same in both areas of the regulations.

Ms. Currie moved to amend section 505 (A)(2)(b) to read the same as section 402 (B)(3). Mr. Bogard seconded. The motion passed 7-0-0.

Mr. Blackburn moved to adopt Ordinance No. 3149 as amended. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (&)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott reminded everyone that the Oxford Wine and Art Affair would take place Saturday, May 21, 2011 from 1:00 to 10:00 p.m. in the Uptown Parks.

Mr. Elliott reminded Council the Annual Strategic Planning Retreat would take place Monday, June 13, 2011 at Hueston Woods Conference Center and he would provide staff and Council with further information.

Mr. Elliott advised representatives of McCullough Hyde Memorial Hospital would present their concept plan for renovation and expansion to the Planning Commission at their June Work Session.

Ms. Currie noted she was delighted that Ken Percheck addressed Council with regard to the Property Maintenance Code issue that affected residents at Parkview Arms last week. Ms. Currie noted her hope the Community Development Department would work on the issue and report back to Council.

Ms. Currie advised the League of Women Voters would hold a forum on Redistricting on Tuesday, May 24, 2011 at 7:00 p.m. in the LCNB meeting room. Ms. Currie noted it should be interesting to hear about the issue and what people could do to affect Redistricting.

Mr. Harman noted another Historic Walking Tour would take place Saturday, May 21, 2011 at 10:30 a.m. and would begin at 301 E. High Street (The Lewis Place). Mr. Harman encouraged everyone to make reservations through the Oxford Visitors and Convention Bureau.

Mr. Blackburn advised the Oxford Cemetery Association needed volunteers to put flags out for Memorial Day and encouraged those that could to meet at the cemetery on Thursday, May 26, 2011 at 6:00 p.m.

Mr. McKeehan advised the Housing Advisory Commission (HAC) met last night and were still hoping to schedule a Work Session with Council to discuss the issue of requiring waste wheeler totes in the Mile Square. Mr. McKeehan noted the HAC would like to see the program in place before the start of the next school year.

Mr. Rutherford suggested calling on the Boy Scouts to help at the cemetery on May 26th.

Mr. Rutherford encouraged everyone to attend the League of Women Voter's forum on redistricting noting it could have an impact on how state and national elections were configured. Mr. Rutherford advised there was a real effort in Ohio to establish a more equitable way of establishing districts.

Mr. Rutherford referred to the recent Historic Awards Ceremony sponsored by the Historic and Architectural Preservation Commission and inquired what happened to a property that was designated as historic but was not located in a designated historic district. Ms. Currie noted the designation did not affect zoning. Mr. Chen noted the award of a historic plaque signified the historic significance of the structure and had nothing to do with the Historic District.

Mr. Bogard encouraged citizens to review the recycling guidelines on the City's website or pick up a copy at the Municipal building.

Mr. Bogard advised the OKI annual meeting would take place on June 28, 2011 in Loveland, Ohio.

Mr. Bogard advised the Recreation and TRI Boards toured the new Talawanda High School construction site last week and noted it would be a great structure once completed.

Mr. Bogard advised the Talawanda School District Band and Orchestra program took place last night and Hall Auditorium was packed. Mr. Bogard noted the Talawanda School District had a lot of talent.

ADJOURN

Ms. Currie moved to adjourn at 8:28 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.