

A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, May 7, 2019 at 7:20 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Chantel Raghu, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. John Detherage, Fire Chief; Mr. Alan Kyger, Economic Development Director; Ms. Amy Blankenship, City Attorney and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1) for the purpose of discussing Appointments to Boards and Commissions. Mr. Ellerbe seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

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

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Dana moved to appoint Dan Haizman to the Board of Zoning Appeals to fill an unexpired term ending June 30, 2021. Mr. Ellerbe seconded. The motion passed 7-0-0.

PRESENTATION
STUDENT COMMUNITY RELATIONS COMMISSION

Mr. Charles Kennick, Secretary for Off Campus Affairs, Associated Student Government, introduced Claire Keller who will replace him as Secretary for Off Campus Affairs since he will graduate from Miami this month. Mr. Kennick noted Ms. Keller will champion the efforts in progress with the ASG and with the Student Community Relations Commission. Mr. Kennick discussed some of the accomplishments this year of ASG and the SCRC and relayed his opinion of what still needs to be accomplished with regard to relationships, collaboration and institutional review. Mr. Kennick thanked Councilors and staff for their assistance during his tenure as Secretary for Off Campus affairs.

PROCLAMATION
“NATIONAL ASSOCIATION OF LETTER CARRIERS
FOOD DRIVE DAY”

Mayor Rousmaniere read the Proclamation and presented it to Bob Ratterman.

Mr. Bob Ratterman, accepted the Proclamation and advised last year the Oxford Community Choice Pantry received 4,000 pounds of food from the National Association of Letter Carrier’s Food Drive Day. Mr. Ratterman advised the food meets a specific need when school is out for the summer and families need assistance with providing meals for their children.

PRESENTATION
ITGA AWARD

Mayor Rousmaniere advised she was excited to announce that the Joint City-University Advisory Board, representing Clemson University and the City of Clemson, South Carolina awarded Miami University and the City of Oxford with the Larry Abernathy Award. Mayor Rousmaniere noted Larry Abernathy was a distinguished college professor who worked tirelessly to improve relations between the City of Clemson and the University of Clemson and was instrumental in prompting the formation of the International Town Gown Association in the mid 2000s. Mayor Rousmaniere noted along with the award was a check for \$500 which she felt could be combined with Miami University’s \$500 check to purchase a bench to be placed on Miami’s campus. Mayor Rousmaniere advised she was attending the ITGA Conference in State College, Pennsylvania later this month where the City and Miami University will be recognized for receiving this award.

Mayor Rousmaniere and Jessica Greene from Enjoy Oxford provided a 4 minute video that depicts many town gown types of events which have occurred in Oxford recently noting the video was sent with the application applying for the Larry Abernathy award.

NOTICE TO LEGISLATIVE AUTHORITY

New permit for Fridge & Pantry, Inc. dba Fridge & Pantry Uptown Market 35 E. Church Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger advised the new permit for Fridge & Pantry was for wine and mixed beverages for on premises consumption or in original sealed containers for carry-out until 1:00 a.m. Mr. Kyger addressed an issue raised by a citizen who was not in attendance regarding the Shareholder Disclosure Form.

Mr. Ellerbe moved to accept the notice without comment. Mr. Dana seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Carla Blackmar, thanked Council and staff for the recent environmental initiatives noting she was excited about them.

CONSENT AGENDA

Mr. Smith requested removal of items H. and I.

MINUTES

Minutes of the April 16, 2019 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the April 9, 2019 Planning Commission Meeting. (Sam Perry, Community Development Director)

Report regarding the April 10, 2019 Historic and Architectural Preservation Commission Meeting. (Sam Perry, Community Development Director)

Report regarding the April 18 Board of Zoning Appeals Meeting. (Sam Perry, Community Development Director)

RESOLUTIONS

RESOLUTION **AGREEMENT WITH** **CARGILL, INC.**

A Resolution No. 7067 accepting the bid of Cargill, Inc. and authorizing the City Manager to enter into an agreement with Cargill, Inc. in conjunction with the Butler County Engineer's Office for the purchase of road de-icing materials at a cost not to exceed \$95,000.00. (Mike Dreisbach, Service Director)

RESOLUTION **RETAIN PROPERTY**

A Resolution No. 7068 authorizing the Oxford Division of Police to retain for use by the municipality certain unclaimed property in its possession. (John Jones, Police Chief)

RESOLUTION
SURPLUS PROPERTY

A Resolution No. 7069 declaring certain property in the Police Division's possession as surplus and not needed for any municipal purpose and authorizing its advertisement and sale to the highest bidder at public auction or internet auction. (John Jones, Police Chief)

RESOLUTION
SALE OF 1991
INTERNATIONAL/SUTPHEN TANKER

A Resolution No. 7072 declaring a 1991 International/Sutphen tanker to be surplus and no longer needed for any municipal purpose by the City of Oxford and authorizing the sale of said apparatus to the West College Corner, Indiana Fire Department for \$10,000.00. (John Detherage, Fire Chief)

Mr. Dana moved to approve the Consent Agenda with the exception of items H. and I. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH
LEBANON FORD

A Resolution No. 7070 authorizing the City Manager to enter into a contract with Lebanon Ford for the purchase of three (3) Ford Interceptor Utility Vehicles with specified options at State Contract pricing at a cost not to exceed \$95,319.00. (John Jones, Police Chief)

At the request of Mr. Smith, Chief Jones explained how this purchase was budgeted for.

Ms. Southard moved to adopt Resolution No. 7070. Mr. Smith seconded. The motion passed 7-0-0

RESOLUTION
CONTRACT WITH
CAMP SAFETY EQUIPMENT, INC.

A Resolution No. 7071 authorizing the City Manager to enter into a contract with Camp Safety Equipment, Inc. for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility Vehicles for the Police Division at a cost not to exceed \$35,071.00. (John Jones, Police Chief)

At the request of Mr. Smith, Chief Jones explained how this purchase was budgeted for.

Mr. Dana moved to adopt Resolution No. 7071. Ms. Southard seconded. The motion passed 7-0-0

RESOLUTIONS

RESOLUTION **RESTORING THE** **LOCAL GOVERNMENT FUND**

A Resolution No. 7073 strongly urging the Ohio Governor and members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels. (Councilor, Steve Dana)

Mr. Dana explained the reasons he felt the proposed Resolution was necessary and advised a signed copy of it would be sent to Representative Keller and Senator Coley.

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

Councilors thanked Mr. Dana for his diligence and for keeping up with the work of the Ohio Municipal League.

Mr. Dana moved to adopt Resolution No. 7073. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION **SRO PROGRAM** **AGREEMENT**

A Resolution No 7074 authorizing the School Resource Officer Program agreement between the Talawanda City School District and the City of Oxford and authorizing the City Manager to sign the agreement of behalf of the City. (John Jones, Police Chief)

Chief Jones discussed his staff report as presented on page 53 of Council's agenda and addressed questions from Council.

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

Ms. Southard moved to adopt Resolution No. 7074. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION **ACCEPTING ANNEXATION PETITION**

A Resolution No 7075 accepting the annexation petition to the City of Oxford, Ohio of certain territory proposed to be annexed to the City of Oxford, Ohio pursuant to a petition filed with the Board of County Commissioners of Butler County, Ohio by Douglas R. Elliott, Jr., agent for the petitioner, as provided by Ohio Revised Code Section 709.023. (Doug Elliott, City Manager)

Mr. Elliott addressed his staff report as presented on page 58 of Council's packet and addressed questions from Council.

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

Ms. Southard moved to adopt Resolution No. 7075. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
STATEMENT OF SERVICES

A Resolution No. 7076 adopting a statement indicating the services the City of Oxford, Ohio will provide to the territory proposed to be annexed to the City of Oxford, Ohio pursuant to a petition filed with the Board of County Commissioners of Butler County, Ohio by Douglas R. Elliott, Jr., agent for the petitioner, as provided by Ohio Revised Code Section 709.023. (Doug Elliott, City Manager)

Mr. Elliott advised this Resolution was a necessary step in the proposed annexation in accordance with Ohio Revised Code Section 709.023 and offered to answer any questions.

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

Mr. Dana moved to adopt Resolution No. 7076. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
ZONING BUFFERS

A Resolution No. 7077 regarding zoning buffers in a proposed annexation of property containing 148.258 acres from Oxford Township, Butler County, Ohio to the City of Oxford, Butler County, Ohio pursuant to the requirement of Section 709.023 C of the Ohio Revised Code. (Doug Elliott, City Manager)

Mr. Elliott advised this Resolution was a necessary step in the proposed annexation in accordance with Ohio Revised Code Section 709.023 and offered to answer any questions.

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

Ms. Southard moved to adopt Resolution No. 7077. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
BCI WATER RESOURCES GROUP, INC.

A Resolution No. 7078 authorizing the City Manager to enter into an agreement with BCI Water Resources Group, Inc. (aka Building Crafts) for the rehabilitation of Production Well #2 at a cost of \$189,843.00 plus a contingency in the amount of \$10,157.00 for a total cost not to exceed \$200,000.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 73 of Council's packer and addressed questions from Council.

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

Mr. Smith moved to adopt Resolution No. 7078. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
YARD WASTE COMPOST PROGRAM

A Resolution No. 7079 of Council authorizing City staff to sell, donate and/or dispose of excess yard waste compost generated by the City of Oxford. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 76 of Council's packet and addressed questions from Council.

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

Mr. Dana moved to adopt Resolution No. 7079. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
OF NECESSITY

A Resolution No. 7080 declaring that it is necessary to improve those portions of certain properties as shown on Exhibit "A" attached hereto in the City of Oxford, Ohio, by repaving, re-curb-ing, and repairing the sidewalks, curbs, and gutters. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 78 of Council's packet and addressed questions from Council.

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

Mr. Dana moved to adopt Resolution No. 7076. Mr. Smith seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
CONDITIONAL USE

An Ordinance Approving A Conditional Use Permit To Allow For The Commercial Development Of Property Located On Southpointe Parkway To Include A Gasoline Station, Convenience Store With A Drive-Up Window And An Additional Commercial Use Building In The GB (General Business) District With Conditions. (Sam Perry, Community Development Director)

Mr. Perry discussed his staff report as presented on pages 82-83 and other pertinent information regarding the Conditional Use application as presented on pages 86-90 of Council's packet.

Mr. Scott Webb, Applicant, Architect, provided a PowerPoint presentation of the project and advised he felt the application meets the decision standards and encourages economic development by providing businesses and services currently not available on the south side of town. Mr. Webb noted he felt the application supports the environmental and traffic reduction goals of the City by creating neighborhood businesses and advised he felt it provides goods and services to an identified growth area in the community. Mr. Webb referred to condition number 2 on page 84 of Council's packet "The proposed entrance/exit drive on US 27 shall be right-in right-out only and located as far from the signalized intersection as possible" and noted the restriction on access to US27 is the reason this site has remained undeveloped for 10 years. Mr. Webb advised he felt it was not feasible to expect someone to always go to the light and wind around to the rear of the site noting it would be much easier to continue on and stop in McGonigle for gasoline or other items. Mr. Webb advised access to US27 was absolutely key to the success of the development. Mr. Webb noted he and his client would like Council's consideration despite condition number 2 to look at alternatives as to how to increase the safety of the US27 entrance and support the viability of the business by making sure it is as convenient as convenient stores need to be.

Mr. Sanjeev Kaushal, read the following into the record: "My name is Sanjeev Kaushal, and as we already know I am planning to take over this site for business use. Today, I am here to explain why an entrance from US-27 is important for my business.

I have been in the gas station business since two decades. In this time frame I have seen many situations and observed that business which do not have easy access barely survive or do not make any profit, with this kind of traffic count. The first reason is that we barely have enough traffic to make this business survive and we cannot afford to lose any car going in either direction, so I want to request open entrance from US-27. I repeat once again, when I say there is not enough traffic it means the business will just survive with the current traffic count.

We know how hard it is to get a gallon of milk from Wal-Mart or Kroger. A gas station is the most convenient way to shop. We want to make it convenient to the public and not make it hard for them to enter into the property. For most of the Oxford residents it won't be convenient. If they are leaving Oxford you need to make a left turn at traffic light and go all the way around the corner and turn left in the gas station and if you are paying cash that day you have to park your car near the pump, and go inside to pay cash, and then get gas and leave the property and turn left again at the light. And I bet, it will take about 15 minutes or more.

People are always running behind on time and they don't prefer this kind of inconvenience. In this fast-moving world everyone is running out of their time. People don't have those 15 minutes to spend on just filling their gas tanks or getting a cup of coffee. They will rather go to the other gas stations down the road to save their time.

Before I start any new project I always put myself in the place of the consumer and I want you to do the same before making any decision. If I am being a consumer heading to the courthouse in Hamilton County from Oxford and I have only 20 minutes to reach. In that scenario, should I turn left at the light and spend 15 minutes just to fill up my gas? The answer will be 'NO', because I know there are many more gas stations down the road offering easy entrance and exit on all directions.

Now, let's talk about the financial viewpoint, to build this property we will be investing approximately 4 million dollars. And this will be one of best gas stations in Oxford so far. The reason I said so is that I have visited all the current gas stations in Oxford myself, none of them like to re-invest their money into the stores. Speedway, UDF, Circle K, all are multimillion-dollar companies which are re-building new gas stations all over in State of Ohio. But they never think to invest their money to rebuild their gas station in Oxford. It might not be their priority. The store we are building will also give them a competition and a message to invest some money for the City of Oxford and the Oxford residents.

We will offer different food stations which includes dunkin doughnuts coffee, pizza program, ice cream, and also fried chicken. This will look like a food court similar to what you see at airports.

In this project everyone will make money: including government agencies, construction people, architect, all utility departments, painters, landscapers as well as new employment, at least 30-40 local jobs.

They will continue to make money weather owner makes any profit or not. Your decision will not affect above stated but it will affect me and my profit. The owner is the only person who will suffer, who ever it will be.

My expense to run gas station and convenience store will be \$50,000 including my mortgage of \$24,000 every month. It is very hard in this business to generate that kind of money.

Every business man has their own calculation. After all this expense, I can take some money home. The only thing that bothers me is the entrance to the property. I will lose a lot of customers who are travelling out of Oxford every hour. I don't want to move ahead having a doubt that my business might not survive. I own six other gas stations and convenience stores. None of them is such a high scale project. This is a huge opportunity which takes me one step ahead in my career and professionalism. Therefore, I don't want that entrance on US-27 to become a barrier in this project. If you approve all way entrance from US-27 then I am 100% sure about the success of this project.

I understand that you all have responsibility to make right decision for the safety of the public but you should also think about financial security point of view for the investor to have a profitable business. Your decision will definitely affect on the residents who live close by this property.

At the end, I want to say that I am really excited to be part of the Oxford community if the opportunity is given and kindly request to the City Council to please allow us full entrance to have successful project which will be future landmark at the entrance of Oxford."

Mayor Rousmaniere thanked Mr. Kaushal for addressing Council.

Mr. Dana asked Mr. Webb to expound upon the alternatives to the right-in right-out only entrance to the proposed project from US-27.

Mr. Webb advised the City Engineer expressed concerns one of which was a person turning left in or out is going to cross the turn lane going into Southpointe Parkway. Mr. Webb noted one of the alternatives is to shorten the turn lane so a person does not have to drive across the turn lane to go left in or out. Mr. Webb advised another concern the City Engineer raised was that even though Oxford has intersections with lots of entrances and exits this is the only one in town that has a 45 mile per hour speed limit. Mr. Webb suggested the speed limit be reduced to 35 miles per hour to address some of the concerns. Mr. Webb also suggested limiting the hours of right-in right-out restriction.

Mayor Rousmaniere inquired if the City has the authority to change the speed limit on US-27. Mr. Dreisbach advised the results of a traffic speed study would need to be sent to the Director of the Ohio Department of Transportation with a recommendation and he would be the deciding authority for speed limits on US-27 even though it is within the municipal limits.

Ms. Southard inquired if any of Mr. Kaushal's successful gas stations were near a school and how he felt that might impact the business. Mr. Kaushal advised one of his gas stations was next to Good Sam Hospital noting there were 2 entrances on Clifton Avenue with a bus stop in the middle in front of Good Sam and an entrance on the side road. Mr. Kaushal advised there was a lot more traffic on Clifton Avenue than in Oxford noting he had been there since 2010 and had not seen any incidents happen as a result of a left turn into the gas station.

Mr. Ellerbe inquired how the right-in right-out condition would be enforced. Mr. Perry advised plans would have to be drawn for the right-in right-out entrance and it would have to be built noting it would not just be a sign. Chief Jones noted there were a lot of inexperienced drivers in this area across from the high school and advised there was a lot of bus traffic that would stack up. Chief Jones noted there were also a lot of international students living in the area who are inexperienced drivers. Chief Jones noted he would hate for those conditions to affect the feasibility of the project although he felt the safest way to enter the proposed business was with a protected left turn at the traffic light. Mr. Ellerbe noted the other conditions as presented on pages 84-85 of Council's packet had measurable results and this one did not.

Mayor Rousmaniere inquired why the Planning Commission recommended the right-in right-out entrance. Mr. Smith advised after much discussion the Planning Commission felt to make it completely safe the entrance from US-27 needed to be right-in right-out only with a concrete curb (pork chop) to keep people from driving around it and making a left turn anyway. Mr. Smith noted he may not be as convinced as he was on the right-in right-out entrance after observing traffic for a couple of nights at rush hour entering the Marathon station on US-27 at Stillwell Becket Road. Mr. Smith advised he saw no issues there with the left turn.

Mr. Prytherch advised the property in question was zoned GB which allows filling stations as a conditional use noting he could not like it because he does not like filling stations. Mr. Prytherch advised conditional uses allowed for mitigation of potential negative impacts through design. Mr. Prytherch commended the Planning Commission noting they and the applicant worked out some of the issues on pedestrian connectivity. Mr. Prytherch noted he felt the conversation on the right-in right-out condition was productive and he felt Council should learn lessons from all the other gas stations and how effective they really are as models. Mr. Prytherch advised he worried about a T-bone crash at 45 plus miles per hour.

Mr. Prytherch referred to the Comprehensive Plan and advised this area was supposed to be developed as small scale commercial mixed use and noted he wondered if he could be the Councilor who votes for a gas canopy to be the gateway to his town. Mr. Prytherch advised Miami University just invested a lot of money in gateways noting everyone works hard to preserve the gateways. Mr. Prytherch noted he felt this project had a lot of great design features although he felt the gas canopy was potentially a negative consequence referring to the Comprehensive Plan and how it screams about how carefully the gateways should be managed. Mr. Prytherch provided Councilors and staff with a handout entitled Urban Design Guidelines for Gas Stations with a schematic for a commercial site with a gas station and convenience store. Mr. Prytherch inquired if gas pumps and a canopy were going to be the dominant feature of the proposed land use at one of the prominent intersections of the gateway to the community. Mr. Prytherch noted he did not know if the current design mitigates potential negative consequences. Mr. Prytherch advised he felt the “pork chop” could be worked out with regard to the right turn left turn. Mr. Prytherch noted he felt there should not be a left turn from US-27 without lowering the speed limit. Mr. Prytherch advised he did not know if he could support this as a conditional use because of the location of the canopy.

Mr. Chris Skoglund, 211 Ryan Drive, noted he did not think this proposal was any different than the Shell station at High Street and College Avenue as one enters the Historic District. Mr. Skoglund advised he felt human nature is going to be no matter how a development is designed and given the width of US-27 at that point people will find a way to turn left unless a median is built across 27 to block the ability to turn left.

Ms. Southard noted she felt having a gas station in the proposed location is a good idea. Mayor Rousmaniere agreed and advised she was struggling with the left turn issue.

Mr. Prytherch noted he would prefer the building presenting to the street rather than the gas canopy.

Mr. Webb advised the Planning Commission opted for the safest solution which was right turn in and right turn out only, build an island, build a pork chop and eliminate the other entrance. Mr. Webb noted he and his client have taken great care to pull the entrances as far back from the intersection of US-27 and Southpointe Parkway as possible and his client is on the fence about whether this business will survive with the right-in right-out only. Mr. Webb advised to Mr. Prytherch’s point the canopy could be placed behind the building although if there is not a left turn into the store it will be difficult to find someone who would be willing to bury the canopy behind the building.

Ms. Raghu agreed with Mr. Prytherch about protecting the gateway noting just because there are other gateways that do not have a pretty entrance does not justify continuing to let it happen. Ms. Raghu advised she would uphold the Planning Commission’s recommendation with regard to the right-in right-out entrance.

Mr. Dana noted the concerns raised by Chief Jones were important and should be given some weight. Mr. Dana advised he felt commercial nodes filled a need.

Mr. Perry advised the safest solution would be to have no access at all from US-27 and noted the Planning Commission tried to meet the applicant halfway with the right-in right-out turn only from US-27. Mr. Perry advised unfortunately there is not a design for that to present and noted his hope to obtain a conceptual design which might help Council in their decisions.

Mr. Ellerbe noted if the gas canopy was in the back there would be no worries about a left or right turn because it would be way farther away from the intersection. Mr. Ellerbe referred to the right-in right-only entrance and advised he felt when you try to make people do things they come up with ways to get around it because that is human nature. Mr. Ellerbe noted he felt if the gas canopy was perpendicular behind commercial structures that had brick and masonry it would soften the blow when coming into Oxford. Mr. Ellerbe advised he felt seeing a Shell branded gas canopy was a harsh transition coming into town.

Mr. Smith advised he felt it was kind of late to redesign the site and advised he felt this was probably the best proposal the City would get for this site. Mr. Smith noted gas canopies are a part of 21st century America. Mr. Smith advised he felt this site would only stay a gateway for a while until the City moves further south. Mr. Smith noted he felt the real estate building was not a great looking building at that corner either.

Ms. Southard advised before the next meeting she would like to learn more about the possibilities for the entrances to the proposed project and noted her hope the project would move forward.

ORDINANCE **CONDITIONAL USE**

An Ordinance Approving A Conditional Use Permit To Allow The Construction Of A Social Services Agency Within A City Owned Public Park Located On College Corner Pike (Lot# 1728) Oxford, Ohio 45056 on the GB (General Business) District With Conditions. (Sam Perry, Community Development Director)

Mr. Perry advised the City received a Conditional Use application from Norman Butt with The Architectural Group on behalf of the Talawanda Oxford Pantry & Social Services (TOPSS) to build a new structure on City property at the Marry Day Park. Mr. Perry noted the City reached an agreement with TOPSS to construct a building on the site as part of a long term lease. Mr. Perry advised the Conditional Use permit was required due to the services being provided and the fact that it is an amendment to a government owned recreational facility. Mr. Perry provided renderings of the proposed project noting it was located in the GB District and advised it abutted residential property as well as right-of-way. Mr. Perry advised the building would be a pre-engineered metal building with façade treatments, windows and access points for loading and pedestrian and vehicular access. Mr. Perry discussed the 4 conditions the Planning Commission recommended for approval of the Conditional Use Permit application as presented on page 136 of Council's packet. Mr. Perry noted the Planning Commission felt the project brings activity to the property and to the neighborhood which is a positive asset to the community.

Ms. Ann Fuehrer, 5595 Reily Millville Road, noted she appreciated Council's consideration this evening. Ms. Fuehrer advised she served as the Secretary of the Board for TOPSS and noted representatives from the Architectural Group were with her as well. Ms. Fuehrer advised she was very pleased to be moving forward with approval of the plan for their new facility to be located at the Merry Day Park. Ms. Fuehrer noted TOPSS has signed a lease with the City for a planned 5,600 square foot building and supporting parking area in that location. Ms. Fuehrer advised the public comments received at the Planning Commission hearing indicated no objections to the proposed plan and even support for a building in that location. Ms. Fuehrer noted City Council's recognition of TOPSS's ability to meet the Planning Commission's recommendations and support of the Ordinance will allow TOPSS to progress with their plan. Ms. Fuehrer advised TOPSS was looking forward to moving ahead with the new facility which is almost 3 times as large as the current location which will allow them to replicate the current functioning of the Oxford Community Choice Pantry, expand their vision as a nutritional center and to act as a satellite facility for other organizations that also meet the basic nutrition and health needs of the Talawanda School District customer base.

Ms. Shany Kunnon, The Architectural Group, advised she and Mr. Norman Butt were present to go through the design and give Council the gist of how they have approached this project. Ms. Kunnon provided a PowerPoint and detailed the project and the existing conditions and also detailed the project as presented on pages 156-193 of Council's packet. MS. Kunnon offered to answer any questions.

Mr. Dana advised he felt the architects took a lot of care in looking at the 4 conditions recommended by the Planning Commission and showing how they can meet those conditions.

Mayor Rousmaniere inquired if the design was very much what Council was looking at or exactly what they were looking at. Mr. Perry advised Council was looking at the exterior of the project and the impacts to the surrounding properties not the interior design.

Mr. Dana noted he felt this design and where it is placed would be good for the neighborhood and good for the numbers of people using the property.

Ms. Southard noted she felt this was the result of incredible cooperation on the part of the City for allowing a social services agency to be located on City property. Ms. Southard advised she felt this was a very unique and special arrangement because it was unusual for cities to support food pantries in this way.

Mr. Prytherch noted the applicant has met whatever potential negative consequences would be associated with having a public service facility in this area.

Mr. Smith advised there was one objecting neighbor who lived on Reagh's Way and the Planning Commission mitigated that with the screening of the service drive which he felt worked perfectly.

ORDINANCE
NEW CHAPTER 1111

An Ordinance Adopting Oxford Codified Ordinance Chapter 1111 Entitled Tree Preservation And Protection. (Doug Elliott, City Manager) **(Tabled until 5/21/19)**

ORDINANCES
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3525 Amending Ordinance No. 3493. Supplemental Budget Ordinance Number 4 To Make Supplemental Appropriations For Fiscal Year 2019. (Joe Newlin, Finance Director)

Mr. Newlin highlighted the items contained in the Supplemental Budget as outlined on pages 194-195 of Council's packet.

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

Mr. Ellerbe moved to adopt Ordinance No. 3525. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW FUND

An Ordinance No. 3526 Approving The Creation Of A Special Revenue Fund #426 As Opposed To A Fiduciary Fund For The 2019 Operating Budget To Provide For Fire Loss Claims And Repealing Ordinance No. 3508 Adopted January 15, 2019. (Joe Newlin, Finance Director)

Mr. Newlin advised a fund was created In January of 2019 as a Fiduciary Fund and noted according to the Governmental Accounting Standards Board it should have been created as a Special Revenue Fund. Mr. Newlin advised this Ordinance would repeal the Ordinance adopted in January and create the correct fund to process fire loss claims.

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

Mr. Newlin reminded everyone the fund was created based on the Ohio Revised Code and advised it would provide for the necessary accounting procedures to address the fire loss on S. Beech Street which resulted in the building being demolished.

Mr. Dana moved to adopt Ordinance No. 3526. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised he and Chief Detherage met with the Oxford Township Trustees and their Fiscal Officer in a special meeting on April 30th to discuss a new Fire/EMS contract noting the current three year contract expires December 31, 2019. Mr. Elliott advised the current contract was \$90,000 for each of the three years plus \$80,000 for the first two years for the City to assume ownership and maintenance of the township's equipment. Mr. Elliott noted the new contract was discussed looking at the township's percentage of calls and advised he felt within the next two months staff would have a proposal for Council to consider.

Chief Jones advised tomorrow was "Walk and Bike to School Day" for Kramer Elementary School and asked everyone to use caution as there would be extra pedestrians and children in that area. Chief Jones noted the "Kramer Mile" would take place that afternoon on Sycamore Street from Kramer to Millett Hall and the road would be closed for a short period of time.

Ms. Raghu noted she felt the food waste composting pilot program seemed to be embraced by the community as a whole. Ms. Raghu advised she felt it would be a good idea a few months into the program to have the GoZero present their data to Council. Ms. Raghu noted GoZero informed her the City is net negative with carbon production from the amount of methane that has been able to stay out of the landfill. Ms. Raghu advised Mr. Elliott and Council members had information about why composting is the third level of waste reduction that the City needs to do and why nothing is much more potent than carbon dioxide. Ms. Raghu noted it could seem counter-intuitive to transport food waste further away although it actually reduces a lot of the carbon footprint. Ms. Raghu advised the advantage of having commercial composting can very invaluable for things that can not be used in your yard as far as bioplastics. Ms. Raghu noted the hope was as the composting program grows that the City can develop a RFP for composting after the pilot program is done.

Ms. Raghu thanked staff for providing information on how much bottled water is purchased for City use noting it was just over 1,000 bottles per year. Ms. Raghu noted she felt the City of Oxford and other water producers make amazing tap water which was pristine and inexpensive at .0169 per gallon verses \$1.30 per gallon. Ms. Raghu advised she felt it was irresponsible for the City to pay for plastic water bottles noting she felt the City should champion its water.

Ms. Raghu noted to make one bottle of plastic it takes 3 times the amount of water it holds. Ms. Raghu referred to a sample Bottled Water Ordinance she provided Council noting the City's General Fund can not be used to purchase bottled water for the City's general usage and advised there were exceptions for when it is needed to protect the public health, safety and welfare. Ms. Raghu noted the City had very good water and advised she felt the City should use it and set a good example especially when Council believes sustainability is important.

Ms. Raghu advised her third topic was divesting from fossil fuels noting Council was doing things with regard to sustainability on this very local level and the City's finances do not match up with that. Ms. Raghu noted Council had a copy of the pie chart showing banks that invest in really dirty fossil fuels. Ms. Raghu noted she felt Council needed to look at what the City is investing in and make sure it matches up with what Council believes is important.

Mr. Ellerbe thanked Charles Kennick noting he was an individual that exemplifies a positive residential college experience that improves this town and makes it a place people want to come to.

Mr. Dana referred to Mr. Kyger's weekly report which read "One of the things we can do for a healthy diverse retail trade in Oxford is to reverse the exodus of the 30 to 64 year olds from our community" and noted he agreed and would like to know how to do that. Mr. Dana noted he would be interested in conversations being taken up by any Board or Commission on that subject.

Ms. Southard advised the Aquatic Center construction is progressing very well although there had been 40 or more days of rain or snow which caused some delays. Ms. Southard noted everyone was on "pins and needles" hoping it gets finished on time.

Ms. Southard advised the third ILR course on local government ended Friday noting ILR stood for Institute for Learning in Retirement which was sponsored by Miami University. Ms. Southard thanked Doug Elliott, John Jones, Sam Perry, Casey Wooddell, Alan Kyger, Mike Dreisbach and David Treleven for speaking noting they did a wonderful job. Ms. Southard advised she felt ILR was one of the things that keep people living and staying in Oxford.

Mayor Rousmaniere advised on Monday, May 13th at 5:30 p.m. there will be a Community Remembrance event for the lynching of two people that occurred in Oxford in 1877. Mayor Rousmaniere noted the event would take place at High and Main Streets.

Mayor Rousmaniere advised there would be a Changing Climate, Changing Communities art exhibit from May 10 through June 1 at the Oxford Community Arts Center.

Mayor Rousmaniere noted ShareFest would take place May 15-22 and advised sharefest.org was always looking for volunteers. Mayor Rousmaniere added ShareFest was one of the great and oldest sustainability projects in Oxford.

ADJOURN

Mr. Dana moved to adjourn at 10:32 p.m. Mr. Smith seconded. The motion passed 7-0-0.