A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 1, 2010 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. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn 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. 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. Bogard moved to return from Executive Session at 7:38 p.m. Mr. Blackburn seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Currie moved to appoint Susan Lipnickey and Phil Russo to the Civil Service Commission for terms expiring in 2013, Todd Hollenbaugh, John Barnhart and Prue Dana to the Board of Zoning Appeals for terms expiring in 2013, Susan Ann Kay and Richard Daniels to the Planning Commission for terms expiring in 2015, Mike Smith to the HAPC for a term expiring in 2014, Vincent Hand and Wright Gwyn to the Environmental Commission for terms expiring in 2014, Alysia Fischer to the SCRC for a term expiring in 2013 and Kathleen Abowitz to the Community Relations Commission for a term expiring in 2013. Mr. Bogard seconded. The motion passed 7-0-0.

Mayor Keebler noted the vacancies on other Boards and Commissions and encouraged interested parties to download an application from the City's website and submit it to the Clerk of Council.

NOTICE TO LEGISLATIVE AUTHORITY

Notice to Legislative Authority – New permit for Bappas Inc DBA Westgate C-Store Plus 5182 College Corner Pike Oxford, Ohio 45056.

Chief Schwein advised the Police Department endorsed Mr. Desai's permit application and his ability to handle a good operation.

Mr. Hiren Desai, Applicant, advised there were problems with the permit transfer he applied for previously so he applied for a new permit.

Ms. Currie moved to accept the notice without comment. Mr. Harman seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Mr. Larry Slocum, Oxford Farmers Market Uptown, suggested the creation of a 'Friends of the Market' parking pass that would allow market goers to purchase a pass that would be good throughout the Market season on Saturdays from 9:00 a.m. to 12:00 p.m.

Mr. Rutherford advised this concept was presented to the Parking and Transportation Advisory Board who would make a recommendation to Council regarding it.

Mr. Alan Kyger, 6164 Contreras Road, addressed Council on behalf of the Chamber of Commerce with regard to the Wine and Art Affair which was held Uptown last Saturday noting it was a wonderful event. Mr. Kyger thanked Council for their support and the Service Department for their assistance during the event.

Ms. Kathleen Zien, 6060 Joseph Drive, noted tomorrow night the DuBois Bookstore was on the HAPC agenda to review the store's plan to demolish and rebuild another 4 story mixed use building at 118 E. High Street. Ms. Zien noted the end result would be student rentals which were what carried retail vacancies in all of the tear-down and re-builds. Ms. Zien recounted the vacant commercial space Uptown, on Spring Street, Tollgate Shopping Center and on US-27. Ms. Zien noted the Planning Forum building on US-27 was for sale or lease and the City's Economic Development office should be able to fill the space with all of the cries for square footage. Ms. Zien advised when Mr. Clawson appeared at the last Council meeting he felt his new hotel plan could accommodate fire truck access and he could live with Council's recommendation and he should, since he had made a total turn about over what he promised for the Stewart Square site five years ago. Ms. Zien noted Council, Planning, BZA and HAPC should keep in mind that despite tall buildings going up very little was promised and developers, owners and landlords counted on high student rentals to carry their overhead and probably didn't much care whether there were retail tenants on the first floor as long as mortgage and taxes were covered. Ms. Zien requested that Council and the Boards and Commissions started asking the right questions before permits were issued because as a City we weren't getting much in return. Ms. Zien noted off campus student rentals had not vacated the mile square homes nor were they affordable or maintained in condition for the return of owner occupied residents. Ms. Zien noted she counted 42 restaurants in the Uptown District either active or coming and an additional 19 restaurants outside the mile square and Oxford had few destination or specialty shops. Ms. Zien noted if applicants could make promises without committing any gain to the City, the City might suggest that building permits were issued only when given commitments or a signed contract indicating rental tenants before demolition or groundbreaking occurred. Ms. Zien noted no rental permits should be issued for any building unless first floor retail space was 100% rented, occupied and doing business as retail. Ms. Zien noted given the current composition of Council and some of the Boards and Commissions she hoped the City would not be run by a few local major property owners, one architect and those in the 'Atta-boy' and buddy system. Ms. Zien advised she hoped the Comprehensive Plan would have been useful rather than open to many interpretations that best suited a select group of applicants.

CONSENT AGENDA

MINUTES

Minutes of the May 18, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

RESOLUTIONS

RESOLUTION
ACCEPTANCE OF GRANT

A Resolution No. 4541 authorizing the City Manager to accept the Justice Assistance Grant in the amount of $15,103.00 on behalf of the Oxford Police Department for the purchase of equipment to maintain public safety. (Steve Schwein, Police Chief)

RESOLUTION
CDGB PROJECT

A Resolution No. 4542 accepting the bid submitted by Hendy, Inc. and authorizing the City Manager to enter into a contract with Hendy, Inc. for the Community Development Block Grant ("CDBG") sidewalk and handicap ramp improvements project at a cost not to exceed $41,243.00 to fully utilize the budgeted CDBG funds. (Mike Dreisbach, Service Director)

RESOLUTION
SELF BOARD

A Resolution No. 4543 appointing Kevin McKeehan as Council representative to the Supports to Encourage Low-Income Families (SELF) Board. (Doug Elliott, City Manager)

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

RESOLUTION
AD-HOC COMMITTEE

A Resolution by the Council of the City of Oxford, Ohio creating the Ad-Hoc Home Occupation/Professional Services Committee for the purpose of reviewing the Home Occupation component of Section 1141.01(C)(2) of the City's Zoning Code and advising both City Council and the Planning Commission on the issue of expanding professional service uses permitted within specific areas of Residential Districts. (Jung-Han Chen, Community Development Director)

Mr. Rutherford advised there was a recent case that brought to light some difficulties within the Planning and Zoning Code. Mr. Rutherford noted the idea behind the proposed Resolution was to create a citizen committee that everyone was invited to participate in and attend to look at the Planning and Zoning Code and specifically with regard to the Home Occupation component. Mr. Rutherford noted the Zoning Code recognized that every residential district was different and should we as a City look at strategies to aid in the preservation of significant historic structures or significant properties within the City by allowing those properties to remain within their current zoning designation but possibly having expanded professional use. Mr. Rutherford noted the proposed committee would develop criteria for expanded professional use, study the problem and make recommendations to the Planning Commission who would make recommendations to Council. Mr. Rutherford noted nothing could be more open than using that process and encouraged people to participate to find out if there was an adjustment that needed to be made to the Zoning Code.

Mr. Chen advised the proposed committee would consist of a member of Council, a member of the Planning Commission, a member of the Chamber of Commerce and four citizens at large. Mr. Chen noted the proposed committee would look at whether or not the Home Occupation section of the Zoning Code needed to be adjusted.

Mr. Bill Houk, 6 Bull Run, respectfully requested that Mr. Rutherford removed the proposed Resolution from consideration. Mr. Houk noted the proposed Resolution was wrong in so many ways and it was bad governance. Mr. Houk advised Council had a commission of citizens whose charge was to oversee the Zoning Code, to administer it and consider changes that should be made to it based on responses to Council and public desire and to oversee the Comprehensive Plan. Mr. Houk advised that body and Council had addressed the issue which motivated the proposed Resolution which Mr. Rutherford admitted. Mr. Houk noted the appointment of an Ad-Hoc Committee was an obvious desire to try to influence the outcome of the previous activities by hoping the Ad-Hoc Committee would reach a conclusion more amenable to Mr. Rutherford and others who were in favor of the issue. Mr. Houk advised those on Council who supported this action and the hope for results cared little about those living in the community who might be affected by ensconcing spot zoning into the Zoning Code as an allowed or approved practice. Mr. Houk advised no certified planner or land use expert would support this kind of spot zoning and the codification of this practice in the Zoning Code would be catastrophic. Mr. Houk encouraged Council to hold with its expectations and its faith in the Planning Commission.

Ms. Kathy Ellison, 37 Meadow Circle, noted she felt the proposed Resolution was an effort to do an end-around the Planning Commission and Council decision which seemed rude to the Planning Commission and people who actively participated in articulating their views on the issue. Ms. Ellison noted it was the Planning Commission who was empowered by Ordinance and by state law to review planning issues. Ms. Ellison noted she felt an Ad-Hoc Committee would not feel comfortable coming to a conclusion they should come to which was that nothing was wrong with the existing Home Occupation provisions which mirrored those of many other jurisdictions.

Mr. Ed Jackson, 4891 James Road, advised he was opposed to the dangers of single spot rezoning. Mr. Jackson noted he did not know how one would go about defining a 'Professional Office'. Mr. Jackson inquired if the proposed Resolution passed would it mean every applicant whose request had been denied have three bites at the same apple? Mr. Jackson noted he was under the impression once the Planning Commission and Council denied a request there was no further action and now he was learning it was possible to obtain an Ad-Hoc Committee to recommend or decide if the current zoning needed changed. Mr. Jackson noted if this was to be the policy he felt the residents should be made aware they now had three bites at the same apple not just two.

Ms. Bobbe Burke, 722 David Drive, advised she was asked to read a message to Council from Mr. Stuart Meck. (The message is attached to the last page of the minutes as Attachment 'A').

Ms. Kathleen Zien, 6060 Joseph Drive, noted the proposed Resolution was clearly on the heels of the recent rezoning denial of 5990 Contreras Road. Ms. Zien advised those who focused on the McCarthy case knew the proposed Resolution was targeted to and ultimately focused on one property with a customized scenario for a particular owner. Ms. Zien noted an Ad-Hoc Committee was not the proper route for code review; it was an attempt to work the system in reverse. Ms. Zien advised the Planning Commission had already done the work and some Councilors did not like the outcome.

Ms. Zien noted if one looked at the zoning map as a whole the Planning Commission and previous Councils were selective as to where the RO district should go and that was in the Mile Square to allow for adaptive-reuse. Ms. Zien noted it was never intended to be spot used on a case by case basis outside the area. Ms. Zien advised unintended consequences of spot zoning could lead to 7,000 square foot homes in Stone Creek as perfect Bed and Breakfasts. Ms. Zien inquired how many buildings and residences would fall into the category that would require reconsideration. Ms. Zien inquired if it was to become the norm when Councilors could not please an applicant, disagreed with, or were in the minority on a decision that they requested a committee be formed to reinvent Ordinances and change zoning on a case by case basis. Ms. Zien inquired how a citizen who did not have a personal relationship with a Councilor went about getting an Ad-Hoc Committee formed for their pet project. Ms. Zien encouraged Council to deny the proposed Resolution and noted it did not serve the public interest.

Ms. Vanessa Cummings, 125 Marti Court, advised Council was elected to represent the City and to recommend the creation of a committee of any kind for special interests was out of order and a misuse of Council's office. Ms. Cummings noted disagreeing with the Law Director and contriving legislation to manipulate the code was a misuse of City time and money and was misleading the citizenry and insulting them by thinking Council could get around a vote by forming a citizen committee. Ms. Cummings noted it was not the City's responsibility to change a code due to a property owner's financial hardship. Ms. Cummings advised the actions of this Council were headed for a law suit filed by the citizens against their own government and inquired if this was the legacy Council wanted to leave. Ms. Cummings advised she served on Council for six years and she knew there were tough decisions to be made. Ms. Cummings encouraged Council not to make decisions based on personal preferences and to support the vote of the majority of Council. Ms. Cummings asked Council to listen to the Law Director who was a respectful man who had served the City for many years and gave wise, solid law and legislative information. Ms. Cummings noted Council needed to respect those who were paid to support them and give them advice and recommendations. Ms. Cummings advised Council needed to abide by the law or tax dollars would be spent on law suits filed by citizens against them because of the things they were trying to do to change the laws because a vote did not go a certain way. Ms. Cummings asked if the legislation that failed had passed would this committee be proposed, and if the answer was no, Council did not need to support the proposed legislation.

Mr. Bogard noted last year during budget consideration Council recommended against spending $75,000 to set up a complete review of the Zoning Code. Mr. Bogard advised Council seemed to piece meal the Zoning Code and suggested Council looked at the entire code and set aside time for that examination. Mr. Bogard noted it was the Planning Commission and Council's responsibility to look at the code not a citizen's committee. Mr. Bogard noted a citizen committee was a staff time investment and that staff time was important in terms of supporting the Planning Commission, BZA and Council. Mr. Bogard encouraged Council to vote no on the proposed Resolution.

Ms. Currie advised she agreed with Mr. Bogard. Ms. Currie noted she was not forever against interspersing businesses in good and useful ways within residential areas but that needed to be looked at in the whole content of the Zoning Code. Ms. Currie noted that was why there was a Planning Commission and Council appointed people who they felt would do a good job looking into planning issues.

Mr. Harman noted he did not feel this was piece meal and Council should not wait for money appropriated from the budget since the City was already in a $500,000 deficit. Mr. Harman advised Mr. Rutherford was trying to address through a committee some sincere questions in the Zoning Code. Mr. Harman advised he felt the issue should be looked at.

Mr. Blackburn noted he was thinking about people who had businesses in their homes and Council had no way of regulating that or issuing conditional use permits. Mr. Blackburn noted he felt there were other possibilities for houses in Oxford that could be used for businesses but there needed to be something in the code to make it work. Mr. Blackburn noted if a citizen committee came up with one good idea it might help the code.

Mr. Rutherford noted the presumption that this was an end around was insulting. Mr. Rutherford advised when the discussion occurred regarding the McCarthy property there was a great deal of discussion about home occupation among Council, Council and staff, and himself and citizens. Mr. Rutherford noted it was not about one piece of property. Mr. Rutherford advised there were more people working out of their homes than ever before and Oxford's code did not properly address it. Mr. Rutherford noted this was a matter of looking at the home occupation section of the code and what sort of adjustments could be made to benefit the citizens of Oxford. Mr. Rutherford encouraged everyone to look at the big picture and contemporary planning practices that were sweeping across the country not necessarily the planning and zoning model currently in place to see whether adjustments could be made to benefit the citizens of Oxford. Mr. Rutherford advised he prayed people would have the capacity to have an open mind to look at the problem of home occupation and whether this City needed to modify its code.

Mr. McKeehan noted his feeling the correct process was in place.

Mr. Bogard advised the code review could be accomplished by the Planning Commission who invited members of the public and professionals to their meetings to discuss ideas and forming a committee was not necessary.

Mayor Keebler advised he saw no problem looking at the issue and discussing it. Mayor Keebler noted a committee was formed to look at fraternities which worked very well. Mayor Keebler advised there was nothing wrong with sending the issue to the Planning Commission to look at and make recommendations.

Mr. Rutherford moved to adopt the proposed Resolution. Mr. Harman seconded. The motion failed by the following roll call:

AYE: Mr. Harman, Mr. Rutherford, Mr. Blackburn (3)

NAY: Mr. McKeehan, Mr. Bogard, Ms. Currie, Mr. Keebler (4)

ABS: None (0)

RESOLUTION
TEMPORARY ABATEMENT

A Resolution authorizing a temporary abatement of the Traffic Code, Section 335.09, Display of License Plates (front plate requirement only), on Thursday, July 29, 2010 through Monday, August 2, 2010. (Steve Schwein, Police Chief)

Mr. Bill Houk, 6 Bull Run, asked for clarification as to what would be abated which Chief Schwein addressed.

Mr. Harman advised Oxford's traffic citations were issued under City Ordinance which mirrored state law and Council was permitted to abate an Ordinance such as the Noise Ordinance for events in the Uptown Parks. Mr. Harman noted some might think this sent the wrong message but he disagreed. Mr. Harman advised the economic impact last year of the Porsche event was estimated to be $350,000 and already this year reservations were running 10% higher which could result in a $385,000 economic impact to the area. Mr. Harman advised Council discussed a property tax or income tax levy in their Work Session this evening and noted rather than talking about taxing the citizens of Oxford, Council's thoughts should be concentrated on how to bring in more money to the City without additional taxes. Mr. Harman advised the international Porsche event brought in an enormous amount of much needed revenue to the City. Mr. Harman noted his hope the publicity generated from the proposed abatement would serve to educate not only Oxford citizens but anyone who did not have a front license plate. Mr. Harman advised a yes vote on the proposed Resolution sent a very positive message of 'Welcome to Oxford. Whether you are an attendee, local resident or someone passing through town, we appreciate you very much.' Mr. Harman advised his hope was to draw other national and international events to Oxford so Council never had to increase taxes on the Oxford residents.

Mayor Keebler advised he did not support the proposed Resolution and Mr. Harman was aware of that. Mayor Keebler noted he felt the proposed Resolution singled out a specific group for special treatment and local residents who had a significant financial impact in the City had already paid fines for the offense. Mayor Keebler inquired what about the thousands of families who visited here with significant economic impact on graduation weekend where a large number of citations were written. Mayor Keebler advised Council's intent in allowing this to come under the local civil citation mirroring the state law regarding non-display of front license plates was to provide a more friendly, less expensive way to ensure compliance with the law. Mayor Keebler noted his feeling this attempt had done just the opposite and Oxford's enforcement of this law gave the City the reputation similar to 'speed trap' towns. Mayor Keebler noted the City was made out to be an unfriendly place to visit by enforcing unimportant laws that weren't enforced in the visitors home towns. Mayor Keebler advised he saw the identification value of having front license plates but our surrounding states did not issue or require them and actual enforcement in most areas of the state appeared very lax. Mayor Keebler noted he felt Council should repeal the section of the local code that classified non-display of front license plates as a civil citation unless there was a concentrated, publicized state-wide effort by Ohio Highway Patrol, County Sheriffs, local townships, villages and cities to enforce the state law regarding the display of front license plates.

Mayor Keebler advised he felt Council should ask the Police Chief and officers to cite front license plate violations under motor vehicle laws and only as a secondary offense to other motor vehicle violations. Mayor Keebler noted if the Police Department felt they needed to cite the offense as a primary violation a warning should be issued first.

Ms. Currie advised she was against the proposed Resolution and noted she felt it was terrible to single out owners of certain vehicles. Ms. Currie noted she would be in favor of repealing the civil citation and was certainly not in favor of the temporary abatement.

Mr. Bogard noted Mayor Keebler did an eloquent job of laying out what the practice had been, what the neighboring states required and what the practice in other areas of the state had been. Mr. Bogard noted concern with granting abatements for certain events and advised it would become a busy exercise. Mr. Bogard advised Council wanted Oxford to be a friendly and inviting community and it should not be overzealous in administering tickets especially for not displaying front license plates.

Mr. Rutherford advised the Porsche event would take place July 29, 2010 and it was possible to make amendments to the current legislation prior to that. Mr. Rutherford suggested officers issued a zero fine ticket for a first offense which could be escalated upon a second offense.

Mr. McKeehan advised he supported the Porsche event which meant a lot to the local economy and he wanted to see it come back year after year. Mr. McKeehan noted the Mayor made some good points so maybe there was another way around the problem.

Mr. Blackburn advised he supported the temporary abatement but also liked what the Mayor proposed and suggested doing both. Mr. Blackburn noted new legislation could be brought forward at the next meeting.

Mayor Keebler suggested tabling the proposed Resolution until the meeting immediately prior to the Porsche event and asking the City Manager to come forward with a plan.

Chief Schwein offered to confer with Mr. Harman and provide a couple of alternatives for Council's next meeting.

Mr. Harman moved to table the proposed Resolution until the next meeting. Mr. Rutherford seconded. The motion passed 5-2-0 with Mr. Bogard and Ms. Currie voting nay.

RESOLUTION
GRANT APPLICATION

A Resolution No. 4544 supporting the Miami Heritage Technology Park in their application for an Ohio Department of Development Job Ready Sites grant application and stating that the City of Oxford has the capacity to provide water and sanitary sewer services to the site with conditions. (Alan Kyger, Economic Development Director)

Mr. Kyger discussed his staff report as presented on page 29 of the agenda and noted he provided Council with a map depicting the Oxford area and where the Miami Heritage Technology Park site was as well as where the City's water and sewer service areas were. Mr. Kyger noted the applicant was in attendance to answer any questions.

Mr. Todd Dockum, thanked the Oxford Community Improvement Corporation and Mr. Kyger for their assistance in sponsoring the Job Ready Sites grant application.

Mr. Bogard noted the previous application came close to being approved two years ago and Mr. Kyger advised 57 projects were submitted last time and this proposal came in 15th in the state with 13 of those proposals being funded.

Mr. Rutherford inquired if the applicant intended to use municipal water service. Mr. Dockum advised it was their dream to use some green development strategies but if the Ohio Department of Development did not certify that under their program he needed a back-up plan.

Mr. Bogard moved to adopt Resolution No. 4544. Ms. Currie seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

TAX BUDGET

An Ordinance Authorizing The Tax Budget For The Year 2011 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on page 34 of the agenda.

SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3089. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2010. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on page 46 of the agenda.

ANNOUNCEMENTS

Mr. Elliott thanked Council for their participation in the Work Session this evening with regard to Fire/EMS Level of Service and Funding Options and advised the discussion would be continued at another Work Session on June 15, 2010.

Mr. Elliott advised he and Mr. Bogard attended a meeting at the high school with regard to the concept of a 'One Stop' facility to provide individuals and families with social services.

Mr. Elliott updated Council with regard to Senate Bill 110 which had to do with septic systems and an anti-annexation provision.

Mr. McKeehan noted from his time spent on the Family Resource Board the concept of a 'One Stop' facility had been percolating out for a while. Mr. McKeehan noted the concept was interesting and it attended to more needs than by the different agencies working independently with little communication.

Ms. Currie asked Chief Schwein to explain the new Feral Cat Program which Chief Schwein addressed noting it was a pilot program which may be expanded to include raccoons.

Ms. Currie advised the Bicentennial sculpture would be installed later this month at the Community Park and thanked Council and the Ohio Arts Council for funding the project.

Mr. Rutherford noted the recent passing of Linda Strauss and expressed condolences on behalf of Council to her family.

Mr. Rutherford encouraged everyone to attend the Uptown Farmers Market and the Talawanda Farmers Market noting they were both wonderful markets.

Mr. Rutherford thanked the citizens who participated in the discussion this evening regarding the Home Occupation component of the Zoning Code.

Mr. Rutherford moved that the Planning Commission specifically review the Oxford Zoning Code Section 1141.01(C)(2) for the purpose of advising City Council on the issue of desirable modifications to the regulations controlling Professional Services/Offices within each of the City's residential districts. Mr. Harman seconded. The motion passed 6-1-0 with Mr. Bogard voting nay.

Mr. Rutherford encouraged citizen participation at the Planning Commission discussion regarding Section 1141.01(C)(2).

Mr. Harman thanked Mr. Kyger and the Chamber of Commerce members who hosted the Wine and Art Affair noting it really showcased Oxford and he was very pleased with the turnout. Mayor Keebler noted volunteering at the event was fun and encouraged those interested to volunteer next year.

Mr. Blackburn thanked Ms. Eaton for compiling the list of Appointments to Boards and Commissions for Council's consideration and thanked those who stepped forward to continue serving or become a new member of a Board or Commission.

Mr. Bogard advised he and Mr. Elliott attended the OKI annual luncheon on May 24, 2010 and noted Senator Voinovich was the key speaker who was entertaining and forthright in his comments with regard to the national debt and need to move forward in areas of transportation.

Mr. Bogard advised deer within the City were out in full force and noted the need to expand the Deer Management Program this year.

Mayor Keebler referred to the suggestion made this evening for issuing parking passes for Friends of the Farmers Market and advised the issue would be considered by the Parking and Transportation Advisory Board who would provide Council with a recommendation.

Mayor Keebler encouraged everyone to attend the Music Festival on Thursday evenings which would begin on June 10, 2010 and noted this was a great event in the Uptown Park.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:26 p.m. Mr. Rutherford seconded. The motion passed 7-0-0.

This is a message to this Council from Stuart Meck

Attachment "A"
(for anyone....) who can help out.

To Oxford Council, June 1, 2010 re: Rutherford resolution

I am speaking this evening in opposition to the resolution, sponsored by Councilor Rutherford to establish a seven-person ad hoc study committee to review the home occupation provisions in Section 1141.01(c)(2) of the Oxford Code with the aim of broadening the uses permitted as of right in residential districts in order allow professional offices.

I am opposed to this resolution for the following reasons:

(1) This is clearly an attempt to overturn in some way the recent denial of RO zoning requested by Peter and Connie McCarthy at 5990 Contreras. Despite its wording, it is not a generic proposal to "save" assorted older properties in the city. That might be believable if this was proposed in some other context, but not here.

(2) It is inappropriate to use an "ad hoc" committee to carry out what is plainly the responsibility of the Planning Commission, which is composed of individuals who by virtue of their service and experience can advise the Council. It is clear that Council Member Rutherford is worried about what the Planning Commission might recommend. The Planning Commission has clearly served this City Council well, and has provided independent, nonpolitical advice. It should be involved at the outset with any type of text or map amendment proposal, not on the back end, as suggested.

(3) What in fact is wrong with the home occupations section of our code? My understanding is that it is similar to home occupations provisions elsewhere. It allows the conduct of a home occupation by residents of a home, in a manner that doesn't impact the neighborhood, or if it does, the impact is minimal. Has there been an uptick in demand for professional offices so substantial that our existing properly zoned and appropriately located commercial districts cannot handle? Mr. Chen gives no hint of a problem. If there were problems with the home occupation provisions, we would have seen an onslaught of petitions to the Board of Zoning Appeals! That hasn't happened.

(4) Rutherford's proposal is an attempt to pressure the Planning Commission by presenting them with a customized, politicized scenario to benefit a particular property owner.

For these reasons, I ask you to vote against Council Member Rutherford's resolution and end the discussion this evening.

The Work Session of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 1, 2010 at 6:00 p.m. Those Council members present were: Ken Bogard, Kate Currie, Bob Blackburn and John Harman. Kevin McKeehan arrived at 6:02 p.m. and Greig Rutherford arrived at 6:07 p.m.

Staff members present: Doug Elliott, City Manager; John Detherage, Fire Chief; Steve Schwein, Police Chief; Joe Newlin, Finance Director; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Jung-Han Chen, Community Development Director and Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

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

PURPOSE

The purpose of the Work Session was for Council to receive and discuss information regarding Fire/EMS Level of Service and Funding Options.

FIRE DIVISION LEVEL OF SERVICE AND FUNDING OPTIONS

Mr. Elliott provided a handout to Council members and discussed what the City had done since 2007 with regard to upgrading the level of Fire/EMS service and Fire/EMS expenditures as well as EMS billing revenues from 2006 through 2010. Mr. Elliott discussed the types of incidents which were responded to over the last few years including ones that occurred on Miami University property. Mr. Elliott discussed the positive effect on response time since the addition of Part-Time Firefighters and EMT's. Mr. Elliott discussed various staffing options, additional revenue requirements and options for methods of funding the Fire Department by means of a property or income tax increase.

Mayor Keebler noted the Ad-Hoc Fire/EMS Committee recommended the addition of 1 Full-Time and 4 Part-Time employees and that option was not presented.

Mr. Harman noted he emailed Council members and staff suggestions for increasing revenues and advised his feeling a levy would not pass without a significant amount of public education.

Mr. Bogard noted his feeling Council needed to come to an agreement on the funding options and adopt a Resolution to that effect.

Ms. Currie noted she favored Option B as presented on page 5 of the handout with additional staffing.

Mr. McKeehan suggested charging a 'safety fee' for students.

Mayor Keebler requested that staff research the feasibility of Mr. Harman's suggestions. Mayor Keebler advised Council needed to fund a significant improvement if a levy was to be placed on the November ballot.

Council decided to hold another Work Session on June 15, 2010 to discuss the Fire/EMS funding matter further.

AJOURNMENT

Mr. Blackburn moved to adjourn at 7:11 p.m. Ms. Currie seconded. The motion carried 7-0-0.