A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, May 20, 2014 at 7:15 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director, Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Amy Blankenship, Assistant Law Director and Ms. Kim Newton, Assistant to the City Manager

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) and (4) for the purpose of discussing pending litigation and collective bargaining. Mr. Smith seconded. The motion passed by the following roll call:

AYE: Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Blackburn, Mayor McKeehan (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:30 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Keebler moved to approve the agenda. Mr. Snyder seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

RECOGNITION
K-9 UNIT "DOVER"

Chief Holzworth thanked Council for devoting some of their time this evening to recognize Sergeant King and Dover. Chief Holzworth advised Dover was acquired by the Oxford Police Department in 2005 and began his career after training in May of 2006. Chief Holzworth noted from 2006 until his retirement last month, Dover had 616 K-9 usages. Chief Holzworth advised 321 of those usages lead to some form of narcotics retrieval, arrest or prosecution and that was 50.5% of Dover's activity.

Chief Holzworth shared several stories from Dover's career including tracking and locating suspects and tracking and locating missing persons. Chief Holzworth noted Dover was officially retired and he had a wonderful career. Chief Holzworth advised Dover placed in the regional trials for Ohio, Indiana and Kentucky and he was in the top ten in several certifications with 30-50 dogs competing. Chief Holzworth noted this was a champion team that was supervised by Lieutenant Horvath.

Lieutenant Horvath presented a plaque to commemorate Dover's service which read 'Presented To Oxford Police K-9 Dover By Your Fellow Officers And The Citizens Of Oxford In Appreciations Of 9 Years Of Dedicated Service 2005-2014'.

Sergeant King thanked City Council for the opportunity to work with Dover during the last 9 years noting this was one of the greatest jobs in the world. Sergeant King also thanked Lieutenant Horvath and Chief Holzworth for their support.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the May 6, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the May 7, 2014 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the May 7, 2014 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION
ALUMNI EVENT

A Resolution No. 4831 authorizing the City Manager to permit the Miami University Alumni Association to hold an Alumni Weekend 2014 event to include the sale of beer and wine from 6:00 p.m. to 10:00 p.m. on Friday, June 20, 2014 in the Uptown Parks. (Doug Elliott, City Manager)

Mr. Elliott advised Council had approved this request for the last 3 years and Mark Macechko from Miami University was in attendance to make some comments.

Mr. Mark Macechko, Associate Director, Miami University, Alumni Association, noted the Alumni Association had done different things each year to bring more attention to this event and last year folks from the Registration & Housing Headquarters moved Uptown for part of the evening which was very successful. Mr. Macechko advised that happen again this year so the alumni could come directly Uptown instead of checking in at Goggin first. Mr. Macechko referred to the map on page 20 of the agenda and pointed out some differences in the set-up from past years which the Alumni Association felt would make the event more welcoming for the alumni as well as the general public. Mr. Macechko noted the alumni came back not only because of Miami but because they had a special tie to Uptown Oxford and it made sense to have part of Alumni Weekend take place Uptown. Mr. Macechko thanked Council for working with Miami each year to make this event successful.

Ms. Rousmaniere inquired if the attendance increased each year and Mr. Macechko advised the Alumni Association saw an increase last year over the previous year.

Mr. Blackburn inquired what band would play and Mr. Macechko advised it would be the SunBurners.

Mayor McKeehan inquired how the feedback from the alumni was and Mr. Macechko advised it had been positive.

Mr. Keebler noted this was a good event and there had never been any problems.

Ms. Southard inquired how much the cleanup would cost the City. Mr. Macechko advised the Alumni Association took care of tearing down the event and cleaning up as much as they could. Mr. Elliott noted the City's fees for this event were shown on page 24 of the agenda.

Mr. Snyder moved to adopt Resolution No. 4831. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
BILL AND NANCY COLWELL

A Resolution No. 4832 authorizing the City Manager to enter into an agreement with Bill D. Colwell and Nancy S. Colwell for the City of Oxford to take title to the property located at 18 Gardenia Drive; Oxford, Ohio. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised a little over 10 years ago Silverleaf Meadows Subdivision, Phase One was approved by Council and much of the infrastructure had been completed but the surface course of asphalt had not been installed. Mr. Dreisbach noted the City received several complaints from property owners who would like the street to be completed. Mr. Dreisbach advised staff asked the developer to install the surface course of asphalt and he stated he was not financially able to do so. Mr. Dreisbach noted staff agreed pending Council's approval to accept a lot on the northeast corner of Apricot Lane and Gardenia Drive valued at $26,550.00.

Mr. Dreisbach advised staff was asking Council to accept the lot so it could be sold and the City could recoup the cost for installing the surface course of asphalt. Mr. Dreisbach noted staff estimated the street improvements would cost $25,000.

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

Mr. Keebler noted the developer had not done his job and referred to the staff report on page 26 of the agenda and inquired why the City would give any remaining proceeds from the sale of the lot to the developer. Mr. Snyder had the same question. Mr. Elliott advised that was part of the agreement made with the developer and staff was focused on a resolution for the residents. Mr. Snyder noted the cost may be more than $25,000 and inquired if the City would pay the difference. Mr. Keebler inquired what would happen if the lot sold for $20,000. Mr. Snyder applauded the efforts to get the situation resolved noting the residents had suffered for 10 years. Mr. Snyder inquired if the City had a performance bond at the beginning of the project. Mr. Elliott advised there was not a bond and he did not know the story behind it as he was not here at the time. Mr. Keebler noted normally a lot was given as bond. Mr. Dreisbach advised staff examined other subdivisions and this was the only exposure the City had that was not bonded. Mr. Dreisbach noted this subdivision was from an era when the City accepted property bonds but by today's standards a letter of credit or a surety bond was required. Mr. Dreisbach advised the street manager's estimates were very tight and he was confident the City's costs would be under the number he gave Council noting it would be a matter of what the lot sold for. Mr. Snyder advised if the City sold the lot for more than the costs to do the improvements he hoped the City would be slow in paying the developer. Mr. Keebler stated the City should recoup all costs including staff and attorney time. Mr. Dreisbach advised all costs would be included prior to making a payment to the developer. Mayor McKeehan noted this situation highlighted the importance of the City obtaining bonds. Mayor McKeehan applauded staff for their efforts to get residents some reparation and for getting them in a better situation. Mr. Snyder noted he would vote in favor of the Resolution for that reason.

Ms. Rousmaniere moved to adopt Resolution No. 4832. Mr. Blackburn seconded. The motion passed 7-0-0.

**RESOLUTION
CONTRACT WITH
BRACKNEY, INC.**

A Resolution No. 4833 accepting the bid submitted by Brackney, Inc. and authorizing the City Manager to enter into a contract with Brackney, Inc. for the Chestnut Street sanitary sewer and water main upgrade project at a cost of $271,720.00 plus a contingency amount of ten percent (10%) of the contract price or $27,172.00 for a total cost not to exceed $298,892.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised with the redevelopment of the former Wal-Mart site (419 S. Locust Street) the sanitary infrastructure that would serve that area was not adequate. Mr. Dreisbach noted Council approved a development agreement to make that project proceed whereby the developer shall pay the City $125,000 towards the cost of the project.

Mr. Dreisbach advised there was a bottleneck under the railroad tracks on Chestnut Street that would impede the sanitary flow. Mr. Dreisbach noted the plans were approved by the railroad and by the Ohio EPA and the City was ready to proceed. Mr. Dreisbach advised the City advertised for bids to correct the bottleneck and sanitary sewer would be installed from Main Street to just shy of Ardmore and the City would end up with 18" sewer under the railroad track. Mr. Dreisbach noted a new 12" water main would also be installed for future use. Mr. Dreisbach advised Bracnkey, Inc. was the lowest bidder and noted Brackney Inc. had done good quality work for the City in the past. Mr. Dreisbach advised Chestnut Street east of Main Street would be closed from June 4, 2014 until July 18, 2014.

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

Ms. Rousmaniere inquired why more residents on Locust Street involved changing a sewer pipe. Mr. Dreisbach advised the pipe functioned under current conditions but with the additional load once all the beds were filled at the new development the pipe would no longer be adequate.

<u>Mr. Snyder moved to adopt Resolution No. 4833. Ms. Rousmaniere seconded. The motion passed 7-0-0.</u>

<u>RESOLUTION</u>
<u>POLICE OFFICER'S CONTRACT</u>

A Resolution No. 4834 approving the contract between the City of Oxford, Ohio and the Oxford Police Officers, Fraternal Order of Police, Lodge 38 and authorizing the City Manager and the City Law Director to sign the contract on behalf of the City. (Doug Elliott, City Manager)

Mr. Elliott advised the City had three unions within the Police Division and negotiations took place for the supervisory union which had 8 officers and the patrol union which had 16 fulltime officers. Mr. Elliott noted agreements were reached with both unions through mediation and the tentative agreement he was recommending this evening was for three years for both contracts. Mr. Elliott advised the agreements included a 2% wage increase for each year of the three year contract, an increase in the employee's share of health insurance premiums to 15% if the fund balance fell below a certain level and an increase of $100 in the uniform allowance. Mr. Elliott recommended that Council approve both contracts this evening.

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

Ms. Rousmaniere inquired for clarification if the 2% wage increase was for each year of the three year contract and Mr. Elliott advised yes.

Mr. Keebler noted he felt it was a fair settlement and it was in line with what other employees had been provided this year and in light of the economy.

<u>Mr. Keebler moved to adopt Resolution No. 4834. Mr. Blackburn seconded. The motion passed 7-0-0.</u>

RESOLUTION
SGT. & LT. CONTRACT

A Resolution No. 4835 approving the contract between the City of Oxford, Ohio and the Oxford Police Sergeants and Lieutenants, Fraternal Order of Police, Lodge 38 and authorizing the City Manager and the City Law Director to sign the contract on behalf of the City. (Doug Elliott, City Manager)

Mr. Elliott noted his comments on the previous Resolution applied to this one as well.

Ms. Rousmaniere moved to adopt Resolution No. 4835. Mr. Snyder seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3249. Supplemental Budget Ordinance Number 4 To Make Supplemental Appropriations For Fiscal Year 2014. Joe Newlin, Finance Director)

Mr. Newlin advised the supplemental budget was needed for the street department due to the extreme winter and the funds would be used to replenish the salt supply and allow the street department to purchase the rest of the supplies they would normally purchase throughout the year.

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

Mayor McKeehan noted the proposed Ordinance would come before Council for the second reading at the next meeting.

ANNOUNCEMENTS

Mr. Elliott advised the Insurance Services Office, Inc. completed an analysis of the structural fire suppression delivery system in the City of Oxford and the City's classification would be upgraded from a 5 to 4/4Y effective August 1, 2014. Mr. Elliott noted the improved rating may have a positive effect on insurance premiums paid in the community especially for commercial property. Mr. Elliott advised the entire report would be made available on the City's website.

Mayor McKeehan inquired what factors resulted in the improved rating. Mr. Elliott advised there were several factors including improvements in emergency communications.

Mr. Elliott noted the Village of College Corner approached the City of Oxford through their attorney some time ago about providing EMS services to the Village. Mr. Elliott advised if an incident occurred in College Corner, one less ambulance was available for Oxford residents. Mr. Elliott noted unless Council directed him differently he planned to let them know the City would not provide that service.

Ms. Brahier advised the municipal swimming pool would open on Saturday and there would be a pool party at noon. Ms. Brahier noted members of the community that needed a pool scholarship or assistance for their kids could call the Parks and Recreation office at 523-6314.

Mr. Kyger thanked Council members for attending Capitol Varsity's 60th anniversary celebration. Mr. Kyger noted Capitol Varsity had 35 employees and two were recognized, one for 54 years of service and one for over 40 years of service. Mr. Kyger congratulated the Fawley family and Capitol Varsity Sports.

Mr. Kyger updated Council and the public with regard to changes within the business community.

Ms. Rousmaniere advised some great kid's baseball was going on at the Tri Building and at the Oxford Community Park and applauded the City for those efforts.

Ms. Rousmaniere noted it was bicycle season and encouraged drivers to be careful and watch for bicycles and encouraged bicyclists to watch traffic signals. Ms. Rousmaniere advised it was illegal to ride bicycles on the Uptown sidewalks.

Ms. Southard noted it was a great weekend with Miami University's graduation and a lot of activity Uptown including the Farmers Market.

Mr. Blackburn advised Andrew Wilson did a really good job with Share Fest and getting useable items out of apartments and hopefully into homes that would help people out.

Mr. Blackburn noted Rumpke did a fantastic job with the clean up after student moved out.

Mr. Keebler advised he re-bagged the trash left by his tenants to make it easier for Rumple and 3 hours later scavengers ripped the bags open. Mr. Keebler suggested putting an extra Police Officer on duty next year to stop some if this from happening. Mr. Keebler noted by noon today Rumpke had picked up the trash that was scattered by the scavengers which was remarkable since they don't have to pick up trash that was not contained. Mr. Keebler advised he felt it was time to start issuing citations for scavenging. Mr. Elliott advised warnings were given to people this year and next year the City would issue citations.

Mr. Keebler noted it pained him to see people mowing and spraying the grass into the street as it plugged the storm sewers and made slippery conditions on the roadway. Mr. Keebler inquired if this was legal and if not what could be done about it. Mr. Dreisbach advised it was not legal to place any material in the street and he wasn't sure if it had ever been enforced. Mr. Keebler noted he felt the City should enforce it as there was no excuse for doing that. Mr. Keebler suggested that the City's Environmental Specialist talked to professional companies that were mowing in town and provide them with a handout explaining that this was not legal. Mr. Elliott noted private residents should be informed as well and advised he and Mr. Dreisbach would put information about the matter on the City's website.

Mr. Smith advised it was still Historic Preservation Month and the tour on Saturday would be on Miami's campus at 10:30 a.m. to tour Cook Field, Wilson Hall and Cook Place. Mr. Smith noted the final tour on Friday May 30th would be in the north end neighborhood at 10:30 a.m.

Mr. Snyder advised the HAPC minutes indicated they would tour the Sigma Chi building and inquired if that had been done yet. Mr. Chen advised yes, and a Special Meeting would take place tomorrow on this HAPC case.

ADJOURN

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