

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, June 5, 2018 at 7:30 p.m. Those members present were Glenn Ellerbe, Chantel Raghu, Mike Smith and Edna Southard. Steve Dana and David Prytherch were excused.

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, Interim Community Development Director; Mr. Casey Wooddell, Parks and Recreation 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.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Southard moved to approve the agenda. Mr. Ellerbe seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

PUBLIC COMMENTS

Mr. Brandon Flessner, 5480 Brown Road, advised he wished to speak about the construction Miami University has begun on Patterson Avenue. Mr. Flessner noted he supported Miami University and felt it was an incredible asset to this community, he was an alumni, donates to Miami scholarships, and volunteers his time on a Regional Campus Advisory Board. Mr. Flessner advised he believed much of their plan will benefit the community, he supported the gateway signage, better lighting, and bike lanes on SR 73 and the street trees. Mr. Flessner noted he felt Miami's alterations to the intersection of Patterson Avenue and Chestnut Street as well as the islands along Patterson Avenue were wasteful, harmful to traffic, and will generate no safety improvements for pedestrians. Mr. Flessner advised data from the Ohio Department of Transportation show that there have been no pedestrian or bicycle involved crashes on Patterson Avenue south of Western Drive since 2004, he felt this corridor was safe for pedestrians, and there will be no safety improvements with Miami's plan. Mr. Flessner noted he felt the construction of a brick tower in the median of Patterson and Chestnut will require a protected left turn also known as a red arrow which is a more complex traffic pattern and will be less efficient than the current pattern paid for with tax payer money less than two years ago with many years of useful life ahead of it. Mr. Flessner recounted several comments on social media from citizens who were not in favor of the proposed tower or islands and felt tearing up the intersection of Patterson and Chestnut was wasteful. Mr. Flessner noted the island constructed last year at Western Drive has shown that islands create more problems than they solve and lead to many unintended consequences. Mr. Flessner advised the island at Western Drive blocks left turns and many people make illegal U-turns around the island or use the Shriver parking lot as a turn around putting pedestrians in harms way and creating an illogical and unsafe traffic flow. Mr. Flessner noted those who go the long way around (the south end of Western Drive) come into even more conflict with pedestrians as there are no sidewalks or pedestrian infrastructure to protect them which Miami has acknowledged and added speed bumps and signage.

Mr. Flessner advised he felt Western Drive should be realigned 100 feet to the south just like Miami's Michael Baker Traffic Study called for and like the Mayor and Council members encouraged them to do last year or the island should be removed completely. Mr. Flessner noted he felt the islands make pedestrians more difficult to see and several on social media agreed with him and believed the islands did not make pedestrians safer or more visible. Mr. Flessner advised the Oxford Police Chief and Fire Chief have concerns about more islands impacting emergency response time. Mr. Flessner noted concern that there had been no public planning process regarding this project despite its impact to the public right-of-way and he felt the project was developed in a vacuum inside of Miami with no ability for the public to provide input. Mr. Flessner advised there was no legal authority for Miami to do this project as he pointed out to the City Manager. Mr. Flessner noted Council should pass a Resolution authorizing this project or it should be halted immediately and advised he felt Miami was spending almost 5 million dollars and is on the same legal footing as a graffiti artist. Mr. Flessner noted Council passed a Resolution to authorize a 3 way stop at Maple and Spring Streets as well as a Western Drive island last year and a Resolution was passed to apply for ODOT grant funding for islands on High Street next summer and inquired why there was no authorization for this project. Mr. Flessner advised he would welcome and appreciate Council addressing three concerns 1. Why has there been no Resolution authorizing this project? 2. Why is Miami not required to fix the Western Drive left turn situation? 3. Why are we reducing the traffic capacity at Patterson and Chestnut not even two years after the intersection was improved?

Mr. Elliott advised Miami was doing this construction with their own funding and noted a lot of the other projects had to come to Council for approval for funding. Mr. Elliott advised Miami has maintained that they own those roads because they were in Oxford before it was a City and noted Miami never deeded the roadways over to the City. Mr. Elliott advised that was Miami's position which he did not necessarily agree with and noted he did not know what the outcome of going to battle with Miami would be.

Mayor Rousmaniere inquired if Mr. Flessner had let anyone at Miami know about his concerns. Mr. Flessner advised he emailed the Vice President of Physical Facilities. Mr. Flessner noted the Butler County parcel map shows Patterson Avenue as public right of way not Miami Trustee land. Mr. Flessner advised it was his understanding under Home Rule in Ohio that the City has control over the right of way. Mr. Flessner noted he felt Miami was entitled to whatever position they choose but he did not think it would survive legal scrutiny. Mr. Flessner advised if Patterson Avenue was Miami's road they were not paying to plow it and maintain it.

Mr. McHugh advised Miami University will take the position that they own the roads. Mr. McHugh advised he felt if Council tried to halt this project the City would end up in litigation with Miami University. Mr. McHugh noted Miami University has made it very clear that they will not concede their position on this matter.

Mayor Rousmaniere advised when an island was installed on Patterson across from Western Drive Council made a statement objecting to it because citizens were concerned about not being able to turn left going South on Patterson Avenue. Mayor Rousmaniere noted she felt citizen's voices really matter. Mr. Flessner advised it was challenging to get citizens to come before City officials even if they agree with everything he has stated. Mayor Rousmaniere and Mr. Elliott encouraged Mr. Flessner to approach the Miami University Trustees with his concerns.

Ms. Raghu noted the debate was about who owns the road. Ms. Raghu agreed with Mr. Flessner and advised she felt there should be more public input especially if the City was helping Miami by applying for a grant for a specific part of the project. Ms. Raghu noted it would be interesting if Miami did take more responsibility for maintaining the roads after the project is built and she had no idea if that was part of the plan. Ms. Raghu noted that could be built into a community benefit agreement between the City and Miami so that citizens feel like they are getting something out of it.

Mr. Flessner noted is hope Council would work to take control of the roads and allow public input on these types of projects.

Ms. Lisa Brunckhorst, 146 Stone Creek Drive, updated Council and the public with regard to the Race Across America event noting the bicyclists will race through Oxford Time Station 41 between June 19th and June 23rd on their way across the United States. Ms. Brunckhorst noted the race has been going on for 36 years from Oceanside California to Annapolis Maryland and it raises over two million dollars for charity every year. Ms. Brunckhorst advised the Time Station is located in the TJ Maxx parking lot and encouraged everyone to visit the Time Station or volunteer to keep track of the racers 24/7 at the station. Ms. Brunckhorst left informational flyers at the Clerk's desk for those interested.

CONSENT AGENDA

MINUTES

Minutes of the May 15, 2018 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the May 15, 2018 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the May 8, 2018 Planning Commission Meeting. (Sam Perry, Planner)

Report regarding the May 16, 2018 Board of Zoning Appeals Meeting. (Sam Perry, Planner)

Report regarding the May 17, 2018 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

RESOLUTIONS

RESOLUTION

AUCTION SURPLUS PROPERTY

A Resolution No. 6090 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
DONATE, RETAIN OR AUCTION
SURPLUS PROPERTY

A Resolution No. 6091 authorizing the Police Division of the City of Oxford to donate, retain, or auction certain unclaimed property in its possession. (John Jones, Police Chief)

RESOLUTION
DISPOSE OF
CONTRABAND

A Resolution No. 6092 authorizing the Police Chief and the Finance Director or their designees to dispose of contraband no longer needed as evidence. (John Jones, Police Chief)

Mr. Ellerbe moved to approve the consent agenda. Mr. Smith seconded. The motion passed 5-0-0.

RESOLUTION
FACILITY NAMING COMMITTEE

A Resolution No. 6093 establishing a Facility Naming Review Committee per Chapter 149 of the Oxford Codified Ordinances entitled Facility Naming and/or Renaming to provide recommendations to City Council for naming the new aquatic center slated for opening in 2019. (Casey Wooddell, Parks and Recreation Director)

Mr. Wooddell recognized Recreation Board members in attendance, Ken Bogard and Craig Bennett. Mr. Wooddell noted the Recreation Board had discussed the creation of a Facility Naming Committee for several months and recommends such a committee be created for the following reasons: The new facility meets the conditions outlined in Chapter 149 of the Oxford Codified Ordinances required for naming a facility, a name generates excitement around a facility such as a new aquatic center and if an innovative or exciting name is chosen it will attract more visitors. Mr. Wooddell advised the new facility will be larger than the current one and it was unlikely it can be sustained simply by the Oxford community. Mr. Wooddell noted the Recreation Board learned from other aquatic centers that they draw people from a 30 to 60 minute radius so for Oxford that would include Brookville, Liberty, Camden, Ross, and Hamilton. Mr. Wooddell advised the goal was not to generate profit but to have enough revenue to cover the operational costs. Mr. Wooddell noted he felt generating excitement about a facility through the name and by pairing that name with some themed items within the facility will help make the new aquatic center a destination location and ultimately bring in more visitors and more revenue to make this facility sustainable for the long term. Mr. Wooddell advised anytime more visitors come to Oxford especially in the summer months it is beneficial for other businesses in town.

Mr. Ken Bogard, 716 Melinda Drive, advised the Recreation Board felt this would be a good time to have a naming committee to generate some excitement. Mr. Bogard noted this would be a regional aquatic center and we needed to encompass the entire region within the 60 minute radius of Oxford.

Mr. Bogard advised some swimming pools across southwest Ohio have closed and Oxford's new aquatic center could be an attraction for that as well. Mr. Bogard encouraged Council to vote in favor of the proposed Resolution.

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

Mayor Rousmaniere noted there were guidelines for creating the committee. Mr. Wooddell advised the Oxford Codified Ordinance Chapter outlines the guidelines for appointing members to the naming committee.

Ms. Southard noted as a member of the Recreation Board for a number of years that the board has been working on the new aquatic center for a very long time. Ms. Southard advised the new aquatic center would have a tremendous impact on the community and one reason for the naming committee was to engage more people and have them feel included. Ms. Southard noted there were some additional things that will not be covered in terms of funding and the board would like to spread the word that additional donations and funding will be needed for those amenities.

Mayor Rousmaniere inquired if a fund raising committee was in place and Mr. Wooddell advised the Recreation Board was chairing a fund raising campaign with the idea of bringing in some community members that can help as far as spreading the word.

Ms. Southard moved to adopt Resolution No. 6093. Mr. Smith seconded. The motion passed 5-0-0.

ORDINANCES **FIRST READING**

ORDINANCE **CONDITIONAL USE**

An Ordinance Approving A Conditional Use Permit To Permit The Expansion Of The Residential Land Use On The First Floor Of The Building In The Uptown Zoning District At 15 N. Beech Street. (Sam Perry, Planner)

Mr. Perry advised the historic building at 15 N. Beech Street is owned by Todd and Monica Spohn and noted Ms. Spohn used part of the first floor as a law office although it was vacated several years ago and became part of the residential unit. Mr. Perry advised since the building is located in the Uptown District a conditional use permit is necessary for the residential use on the first floor. Mr. Perry noted the Planning Commission recommended approval of the request without any issues and advised there would be no changes to the building.

Mayor Rousmaniere noted her surprise that no one objected to the request and Mr. Smith advised it was a 140 year old house and the residential use on the ground floor predated the Ordinance to have commercial only on the ground floor in the Uptown District.

ORDINANCE
2019 TAX BUDGET

An Ordinance Authorizing The Tax Budget For The Year 2019 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised the Tax Budget provides the first glimpse at 2019's General Fund Budget. Mr. Newlin noted the Tax Budget needed to be approved by July 15th and sent to the County Auditor by July 20, 2018. Mr. Newlin advised the Tax Budget is required by the County as a preliminary budget for next year. Mr. Newlin noted in August Council and staff would do their annual line item budget analysis and preparation. Mr. Newlin advised the Tax Budget was prepared with an approximate 0% change from the 2018 amended budget except for a few items. Mr. Newlin discussed the exceptions as shown on pages 72-73 of Council's packet. Mr. Newlin advised the County required the Tax Budget to ensure municipalities were not over extending themselves with debt.

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

Mr. Newlin advised a Public Hearing for the Tax Budget will take place at the next Council meeting.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3449. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2018. (Joe Newlin, Finance Director)

Ms. Southard moved to substitute an amended Ordinance for the one provided in Council packets. Mr. Ellerbe seconded. The motion passed 5-0-0.

Mr. Newlin addressed the Supplemental Budget as shown on pages 90-91 of Council's packet as well as the change provided on the substitute Ordinance with regard to the Aquatic Center Capital Improvement Fund.

Mayor Rousmaniere thanked the Oxford Masonic Foundation for their miscellaneous \$500 contribution and noted Exhibit "A" (the Aquatic Center Fund Analysis) was very helpful.

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

ANNOUNCEMENTS

Mr. Elliott advised the City administration moved to the new Municipal Building at 15 S. College Avenue and noted City Hall closed for business on Friday, May 18th at 5:00 p.m. and opened for business on Monday, May 21st at 8:00 a.m. at the new building. Mr. Elliott thanked all of the employees who worked hard to make this happen.

Mr. Elliott advised a public Open House would be scheduled in mid June. Mr. Elliott noted the Police Station project at the former City Hall was underway.

Mr. Elliott referred to the comments made earlier this evening with regard to Miami University's project and advised going to the county website is not an adequate way to define property ownership. Mr. Elliott noted it was necessary to do a title search and look at the deeds. Mr. Elliott advised staff expressed dismay with certain aspects of Miami's project and noted he understood that people were not pleased with the process noting he felt there should have been public input. Mr. Elliott mentioned he would think about asking Miami University to maintain the roads that they claim they own. Mr. Elliott noted the City tried to work closely with Miami University and they kept the City abreast of what they were doing but didn't always give the City a chance to bless their projects.

Mr. Kyger updated Council and the public with regard to business openings and closings noting since the first of the year there were 10 new openings, 2 closings and one expansion. Mr. Kyger noted there were 5 more restaurants and a couple more buildings being built on 27 North.

Ms. Raghu thanked Mr. Flessner for taking the time to address Council this evening noting she agreed that Miami should provide more transparency with regard to their projects. Ms. Raghu advised she felt it would be great if they maintained their roads.

Mr. Ellerbe commended City staff for an extremely efficient transition into the new building.

Mr. Ellerbe inquired who controlled the traffic light programming in Oxford and Mr. Elliott advised the City did. Mr. Dreisbach noted the City conducts a traffic study of a certain intersection measuring the volume and speed of the vehicles and use engineering design standards to program the signals to best move traffic safely and efficiently.

Mr. Smith encouraged people interested in serving on a City Board or Commission to go to the City's website and look at the commissions, complete the form and submit it to the Clerk. Mr. Smith advised the Historic and Architectural Preservation Commission was in need of 3 members.

Mr. Smith thanked everyone who volunteered at the Wine Festival over the weekend noting it brought a lot of people into town and was a great success.

Mr. Smith wished Councilor Dana well noting he was at home recuperating from surgery.

Ms. Southard advised the Historic Tours took place each Saturday in May which were very successful and noted each week more people participated. Ms. Southard advised the HAPC would do an analysis of how it went so they can continue to make improvements and see how it can be publicized better noting it was important to historic preservation in Oxford.

Ms. Southard thanked the City for encouraging Councilors to attend the International Town Gown Association event in Columbus last week noting a large contingent attended from the City, university, school district and other organizations. Ms. Southard advised discussing similar situations in other cities and sharing ideas was very useful.

Ms. Southard wished Mr. Dana a speedy recovery from his surgery noting everyone wished him well.

Mayor Rousmaniere advised the Miami University Board of Trustees would meet June 20, 21 and 22 and Friday the 22nd was a full meeting which included time for public participation.

Mayor Rousmaniere reiterated that the City needed to fill vacancies on Boards and Commissions and would make appointments on June 19, 2018. Mayor Rousmaniere encouraged those interested to go to the City's website to apply.

Mr. Elliott recognized Mike Dreisbach who managed the construction project for the new Municipal Building noting he did an excellent job, was still managing the project and oversaw the move to the new building.

Mayor Rousmaniere reminded everyone that 2,000 members of the Buckeye Boys State would visit Miami University next week to learn about citizenship and civic activism noting their day with City staff was Thursday, June 14, 2018 from 12:30 to 3:00 p.m. Mayor Rousmaniere advised staff would participate in a Walking Audit with groups of the Buckeye Boys State.

Mayor Rousmaniere wished Mr. Dana well noting she looked forward to him returning to Council.

ADJOURN

Mr. Smith moved to adjourn at 8:37 p.m. Mr. Ellerbe seconded. The motion passed 5-0-0.