A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 21, 2011 at 7:00 p.m. Those members present were Ken Bogard, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan. Kate Currie was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Joe Newlin, Finance Director; 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 and (4) for the purpose of discussing Collective Bargaining strategies. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to adjourn from Executive Session at 7:29 p.m. Mr. McKeehan seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PRESENTATION
MIAMI UNIVERSITY OFFICE OF
COMMUNITY ENGAGEMENT AND SERVICE

Ms. Bobbe Burke, Coordinator, Off Campus Affairs, advised she was pleased to provide an introduction to the presentation this evening that demonstrated the positive power of Town Gown relations. Ms. Burke noted Town Gown relations referred to how cities, universities and colleges that shared the same geographical space could partner in mutually beneficial ways to produce very positive results. Ms. Burke advised that Ms. Grace Andrews would share how comprehensive and intentional collaborative partnering was meeting many local community needs. Ms. Burke noted Ms. Andrews was a AmeriCorps Vista worker in the Office of Community Engagement and Service and she would share how this Student Affairs Office and its professional and student staff were coordinating efforts that expanded Miami University's civic outreach and assisted Oxford, Butler County and Southwest Ohio agencies to receive critically needed support.

Ms. Grace Andrews, advised she was excited to share what the Office of Community Engagement and Service did and how they impacted the Oxford community. Ms. Andrews noted she was an undergraduate student at Miami from 2006 through 2010 and became involved in service learning initiatives as a junior. Ms. Andrews advised she became aware of the opportunity to serve as an AmeriCorps Vista coordinating service learning initiatives and courses and had been doing so ever since. Ms. Andrews noted her role was to serve through Ohio Campus Compact to connect campuses to communities in need by leveraging campus resources to alleviate poverty and build capacity at non-profits and social service agencies in the community. Ms. Andrews advised she accomplished her role through student engagement and civic outreach. Ms. Andrews provided a PowerPoint presentation and discussed the Office of Community Engagement and Services' mission and vision which was to catalyze mutually beneficial campus and community partnerships and to see learning and serving as one. Ms. Andrews noted the Office of Community Engagement and Service developed a framework that delivered their vision of the engaged university where learning and serving occurred as one through four main programs including: one-time and ongoing volunteer opportunities in Oxford, service based events such as Make a Difference Day and Dr. Martin Luther King Day, tutoring programs and advocacy programs. Ms. Andrews advised service learning at Miami connected academic course work to community service and Miami offered over 50 service learning courses. Ms. Andrews thanked Council for letting her provide the overview and invited Council to support and collaborate in the work that was done through the Office of Community Engagement and Service.

Mayor Keebler thanked Ms. Andrews noting the presentation was very informative and it was great to learn about the depth of student involvement in the community.

RECOGNITION
POLICE AND FIRE
DEPARTMENT STAFF

Chief Schwein noted several City employees would receive letters of commendation this evening signed by Mayor Keebler and Mr. Elliott as the Safety Director for the City. Chief Schwein asked PSCO Buttery, Officer Jenkins and Detective Robinson to come forward. Chief Detherage asked Jordan Gula, Mike Lintz, Jeff Matix and Seth Adams to come forward. Chief Schwein read the letter of commendation for Police Division personnel and noted the officers would recieve the Oxford Police Division Life Saving Award and PSCO Buttery and Osborne would receive a Certificate of Commendation. Mr. J.C. Rupel thanked the Police and Fire department personnel for saving his life on May 18, 2011 after suffering from cardiac arrest. Mr. Rupel also thanked City Council for providing such fine services for the citizens of Oxford. Chief Detherage handed out the Fire and EMS letter of commendation to his staff noting a lot had changed in the Fire Division over the past three years he was very proud of his staff.

Mayor Keebler thanked the voters of the City of Oxford for supporting the .25% earnings tax increase to support the Fire and EMS Division.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Mr. McKeehan moved to reappoint Karen Martino to the Civil Service Commission for a term expiring June 30, 2014, Gary Myer to the Board of Zoning Appeals for a term expiring June 30, 2014, Kim Peterka and Laura Henderson to the Historic and Architectural Preservation Commission for terms expiring June 30, 2015, Charles Ford to the Environmental Commission for a term expiring June 30, 2015, Richard Nault to the Community Relations Commission for a term expiring June 30, 2014, Brandy Darby to the Recreation Board for a term expiring June 30, 2014, Tom Speh and Susan Lipnickey to the McCullough-Hyde Hospital Board of Trustees for terms expiring June 30, 2016 and to appoint Robert Benson to the Planning Commission for a term expiring June 30, 2016 and Robert Bell to the Board of Appeals (Building and Housing) for a term expiring June 30, 2016. Mr. Bogard seconded. The motion passed 5-0-1 with Mr. Rutherford abstaining.

PUBLIC HEARING
2012 TAX BUDGET

Mr. Newlin advised the Tax Budget was the first step of the budgeting process and it was due at the auditor's office by July 20, 2011. Mr. Newlin offered to answer any questions.

Mayor Keebler closed the public hearing at 7:54 p.m.

PUBLIC COMMENTS

Mr. David Prytherch, 6253 Devonshire Drive, noted he was in attendance in his capacity as Miami University's Sustainability Coordinator and would update Council on the university's Transportation Master Plan. Mr. Prytherch advised Miami contracted with an outside consultant to help lead the process on campus by looking at bicycling and walking on campus, the Miami Metro system and parking. Mr. Prytherch noted Miami extended itself to take comments and receive participation from City staff and the public with an open house on the Miami Metro. Mr. Prytherch advised the part of the process that related to the City was the bicycling and pedestrian portion of the process. Mr. Prytherch noted the consultants and Miami University recognized that the more students walked, bicycled and rode the Miami Metro the less congested the streets would be, pressure on parking would be reduced and it would create a safer public environment and higher quality of life for everyone. Mr. Prytherch advised staff was representing the City throughout this process and their participation was necessary for some of the proposed initiatives such as bicycle lanes that extended beyond the campus. Mr. Prytherch noted the Oxford Planning Commission, Environmental Commission and the Parking and Transportation Advisory Board had dealt with some of these issues in the past. Mr. Prytherch advised the City Manager would need to direct this process so that the City's and the public's involvement was the best it could be for Miami to receive the most input. Mr. Prytherch noted a draft plan would be available in July which was the first step for the work on campus and beyond.

CONSENT AGENDA

MINUTES

Minutes of the June 7, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the June 1, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTION CONTRACT WITH NEOPOST

A Resolution No. 4612 authorizing the City Manager to enter into an agreement with Neopost for a 60-month lease for postage equipment through state contract pricing. (Kim Newton, Assistant to the City Manager)

Mr. Blackburn moved to approve the consent agenda. Mr. Bogard seconded. The motion passed 6-0-0.

RESOLUTIONS

**RESOLUTION
RLF LOAN**

A Resolution No. 4613 approving a $20,000 Revolving Loan Fund loan to Seaview Outfitters, LLC. (Alan Kyger, Economic Development Director)

Mr. Kyger addressed his staff report as presented on page 17 of the agenda noting the Community Improvement Corporation (CIC) Loan Review Committee met twice with the applicant and recommended approval of the loan to the full CIC board. Mr. Kyger advised the CIC met on June 10, 2011 and recommended approval of the loan with conditions. Mr. Kyger noted the applicant was asking for a $20,000 loan at 2% interest for 5 years. Mr. Kyger advised a member of the community was willing to create an escrow account for $20,000 which would be used as security for the loan.

Mr. Bogard noted he felt this was a great opportunity for entrepreneurs to invest in the City and this type of shop was needed in Oxford.

Mr. Kyger noted in the last several years the Revolving Loan program created almost 2 million dollars in projects while lending approximately $500,000.

Mayor Keebler noted he felt this was a good project and with the escrow account there would be no risk for the City.

Mr. Harman thanked Mr. Kyger and the CIC for their efforts.

Mr. Harman moved to adopt Resolution No. 4613. Mr. McKeehan seconded. The motion passed 6-0-0.

**RESOLUTION
FIRE DEPARTMENT GRANT**

A Resolution No. 4614 authorizing the City Manager to accept the Fire Prevention and Safety Grant in an amount not to exceed $70,400 with a 10% match by the City in an amount not to exceed $7,040 for the purchase and installation of equipment in Oxford residences to promote fire safety and prevention. (John Detherage, Fire Chief)

Chief Detherage addressed his staff report as presented on page 22 of the agenda noting he came to Council earlier in the year to get permission to apply for a grant to install 4,400 photoelectric smoke alarms in rental properties in the City. Chief Detherage advised he needed Council's approval to accept the grant.

Mr. Bogard inquired if Chief Detherage had a list of the rental properties that would receive the smoke alarms and Chief Detherage advised the Community Development Department would assist with compiling the list.

Mayor Keebler noted Chief Detherage would solicit the matching funds from other grant sources and local organizations.

Mr. McKeehan moved to adopt Resolution No. 4614. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
ALLEY VACATION

An Ordinance Approving The Vacation Of The Alley Right-Of-Way Running North-South Between East Church Street And East High Street; Between Tallawanda Road And Bishop Street. (Doug Elliott, City Manager)

Mr. Elliott addressed his staff report as presented on page 24 of the agenda noting Mr. Steve Snyder was in attendance to elaborate on the university's project and answer any questions.

Mr. Steve Snyder, Secretary to Board of Trustees, Miami University, advised he would provide more context for a broader strategic priority of why the university was asking for the vacation of an alley. Mr. Snyder noted the university ran a student housing program on campus that housed 7100 students in 41 buildings and the average age of the residence halls was 50 years. Mr. Snyder advised the residence halls were well beyond the time they should be renovated. Mr. Snyder noted two years ago the university started a long range planning process to see what needed to be done to remain competitive with its sister institutions in the country. Mr. Snyder advised one of the university's largest assets was the residential living experience offered at Miami and the university needed to improve its housing stock. Mr. Snyder noted the university was launching a 20 year construction project that would be done in phases and emphasized that the university would not add net new beds. Mr. Snyder noted new residence halls needed to be in place so existing buildings could be renovated. Mr. Snyder advised new halls were planned for construction on western campus, and on the south end of campus as well as smaller residence halls in the block surrounded by High Street, Tallawanda Road and Church Street which was why the alley needed to be vacated.

Mayor Keebler advised the university owned all of the abutting property and the alley served no purpose and he felt there was no reason not to vacate it.

Mr. Rutherford noted the land was real estate that belonged to the citizens of Oxford and questioned if giving it away was the right thing to do. Mr. Rutherford inquired if there was value to the land and if this was an issue City staff should address.

Mayor Keebler, Mr. McHugh, Mr. Snyder and Mr. Elliott addressed Mr. Rutherford's concerns.

ORDINANCE
CODE UPDATE

An Ordinance To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Ms. Eaton advised this was the annual Code Update which consisted of 200 replacement pages this year. Ms. Eaton noted the update included Ordinances adopted through June 1, 2011 and new or amended state laws in the traffic code and the general offense code.

Mayor Keebler noted this was a house keeping issue that was done annually and copies of the replacement pages were available at City Hall.

Mr. Bogard inquired how many sets of the update were ordered. Ms. Eaton advised 35 sets were needed for Council, staff and various other local agencies.

ORDINANCES
SECOND READING

NEW SECTION
1143.10

An Ordinance No. 3150 Repealing Zoning Code Section 1143.10 Of The Codified Ordinances Of The City Of Oxford, Ohio Entitled Uptown District, And Adopting New Section 1143.10, Entitled Uptown District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information since the first reading of the proposed Ordinance.

Mayor Keebler noted the proposed Ordinance would correct an oversight from the last revision of this Section of the Code.

Mr. Blackburn moved to adopt Ordinance No. 3150. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
TAX BUDGET

An Ordinance No. 3151 Authorizing The Tax Budget For The Year 2012 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing to add regarding the Tax Budget and the Public Hearing was held this evening as required by the Ohio Revised Code.

Mr. Bogard moved to adopt Ordinance No. 3151. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Mr. Rutherford, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

DISCUSSION
WASTE WHEELER TOTES
IN MILE SQUARE

Mr. Dreisbach advised over time there had been complaints about litter in the Uptown area and nuisance animals getting into trash cans, spilling them over and causing more litter. Mr. Dreisbach advised the Housing Advisory Commission (HAC) took up the topic and recommended waste wheeler totes be required in the Mile Square area to abate the problems. Mr. Dreisbach noted the HAC felt this requirement would reduce nuisance animals in the Mile Square and improve the general appearance of the Uptown and Mile Square area. Mr. Dreisbach advised the cost would be $3.00 per month to rent a container and $100.00 to purchase the container from the solid waste contractor. Mr. Dreisbach noted he and Mr. Elliott focused on where the complaints originated and felt the Mile Square "Plus" area was the area to initiate the waste wheeler tote requirement. Mr. Dreisbach advised there were approximately 475 units in the defined area that currently did not use the totes and of those 90 were owner occupied residences. Mr. Dreisbach noted he and Mr. Elliott discussed having an exemption for owner occupied residences as typically they did not contribute to the problem. Mr. Dreisbach advised the benefits of the proposed requirement included making access to trash cans difficult for nuisance animals, reducing litter and improving the streetscape of the Mile Square. Mr. Dreisbach noted ultimately the cost for solid waste pick-up may be reduced since this was a more efficient way to collect the solid waste. Mr. Dreisbach advised staff recommended proceeding with this proposal in the defined area and staff could prepare for education and the logistics of how this proposal would be implemented at the beginning of Miami's fall semester.

Mayor Keebler noted he felt it was correct to exempt owner occupied properties from the proposed regulation since there was a lot less problem with those properties. Mayor Keebler inquired how the Ordinance would be written to insure enough waste wheeler totes would be provided for each residence.

Mr. Elliott advised he had a list of all rental units and the occupancy permitted for each although some of the units were not fully occupied.

Mr. Dreisbach advised when renters signed up for utility service, staff would start the education process by telling them they must use the waste wheeler totes, and out in the field, staff would work with the waste collection contractor. Mr. Dreisbach noted if all solid waste did not fit in one tote the renter would have to order additional totes.

Mr. Rutherford advised the data on waste and how much waste was generated per person was readily available. Mr. Rutherford noted the number of totes required could be determined if a given property had 6 rental permits and the requirement was one tote for 3 people then they would need two totes. Mr. Rutherford advised this would be equitable for all customers.

Mr. Dreisbach noted there would be disparity between customers as some would recycle the bulk of the trash.

Mr. Bogard advised the Ordinance could reflect that the number of waste wheeler totes would be determined by a formula established by the City of Oxford. Mr. Bogard inquired who would enforce the waste wheeler tote regulation and Mr. Elliott advised NIC and the Service Department. Mr. Elliott noted citizens could also report a problem. Mr. Bogard noted the penalty section needed to be reviewed. Mr. Bogard noted Parkview Arms needed additional dumpsters as theirs was always overflowing.

Mr. Blackburn inquired if parts could be kept on hand to repair the waste wheeler totes and Mr. Dreisbach advised he would check with Rumpke's route manager.

Mr. Elliott advised staff would need to bring proposed legislation to the next meeting to have the regulation in place by the beginning of the next school year.

Mr. Rutherford reiterated the Ordinance should require "X" amount of totes per person. Mr. Rutherford referred to 931.02 (b) of the draft language 'The lid of the solid waste tote shall be tightly closed when placed curbside in the right-of-way for collection. The customer shall not allow the tote to overflow. No solid waste shall be placed on top of, next to, or around the tote. Owner occupied properties are exempt from this Ordinance.' Mr. Rutherford advised the language should apply to everyone.

Mr. Harman noted there were two groups of customers, landlords and owner occupied residents and inquired if Council would create a problem by saying one group must use waste wheeler totes and the other does not. Mr. Elliott noted there was justification for treating the groups differently. Mr. McHugh advised government could make distinctions but there had to be a reasonable basis for it.

Mr. Rutherford noted tying the regulation to the rental permit system was the ideal thing to do because the non rental permit properties were owner occupied and not required to have a permit. Mr. Rutherford noted rental properties were required to be inspected and owner occupied properties were not. Mr. Rutherford advised the waste wheeler tote would go with the rental permit and it would be "X" amount of waste wheeler totes per person and there was no such thing as a fraction of a person.

Mr. McKeehan noted he served on the Housing Advisory Commission and the reason they brought the issue forward was due to the animal problem. Mr. McKeehan advised he felt this was a good first step to rectify the problem. Mr. McKeehan noted this wasn't just about animals getting into trash containers it was about them getting into attics, roofs and garages.

Mayor Keebler referred to section (b) of the draft language and suggested striking 'Owner occupied properties are exempt from this Ordinance' and replacing it with 'Owner occupied properties are not required to utilize the waste wheeler tote'. Mayor Keebler asked staff to draft the Ordinance and send it to Council early so they could provide their comments to the City Manager.

ANNOUNCEMENTS

Mr. Elliott advised he and staff members reviewed the Miami Campus Circulation Plan and put together comments that would be forwarded to Miami University and Council would be copied. Mr. Elliott noted if Council wanted to take a formal position on the initiative to let him know.

Mr. Elliott advised the City of Oxford received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending 2010. Mr. Elliott thanked Mr. Newlin and his staff for their efforts.

Mr. Elliott advised the annexation of .574 acres of right-of-way on US-27 South was complete to fulfill a commitment made to the Talawanda School Board to install a temporary traffic light at US-27 South and University Park Boulevard. Mr. Elliott updated Council on several proposed annexations that would be forthcoming. Mr. Elliott advised House Bill 50 would amend Type II annexations which would cause additional hurdles for municipalities. Mr. Elliott noted he would send a letter of opposition to HB 50 to Representative Derickson.

Mr. Dreisbach noted the Music Festival would take place on Thursday evening in the Uptown Parks and the City would provide recycling containers for the event.

Mr. Kyger updated Council with regard to the closing of Arabian Nights restaurant and the status of the Revolving Loan Fund loan. Mr. Rutherford asked staff to give consideration to what could be done to monitor the financial condition of recipients of loans from the Revolving Loan Fund.

Mr. McKeehan noted two teams from the Race Across America bike race arrived in town and the balance of the 75 teams would arrive between now and June 25th. Mr. McKeehan encouraged everyone to welcome the teams and to be cautious of the riders and their support vehicles.

Mr. Rutherford asked Mr. Dreisbach to provide an update on the SR177 & 73 improvement project. Mr. Dreisbach advised staff attended the progress meetings with the contractor and ODOT and noted ODOT was the project manager. Mr. Dreisbach advised ODOT was well aware of the City's infrastructure in the area and would safeguard it.

Mr. Rutherford encouraged everyone to visit the Farmer's Market and all of the local shops and restaurants.

Mr. Rutherford asked Mr. Kyger to look into getting Oxford listed on the Urban Spoon and other such websites.

Mr. Rutherford noted City Council was limited to two serving two consecutive terms and inquired if it was appropriate to have term limits for Boards and Commissions so there would be revolving citizen participation. Mr. Rutherford asked staff to look into the requirements for adding term limits for Boards and Commissions and to consider limiting service to two terms with the possibility of three with Council's unanimous consent. Mr. Rutherford noted he would like to know what the other Council members felt about working on an Ordinance that established term limits.

Mr. Bogard welcomed the teams from Race Across America and noted he looked forward to the event.

Mr. Bogard asked Mr. Dreisbach for details regarding the temporary traffic light at US 27 and University Park Boulevard. Mr. Dreisbach advised the US 27 South improvement project would pay for the new signal and permanent infrastructure. Mr. Dreisbach noted the signal that was taken down on North 27 would be repurposed for the temporary signal and would be installed in late July or early August. Mr. Dreisbach advised new signal signage would be installed and the light would flash for 10 days before being activated.

Mr. Bogard requested the status of the parking survey regarding the proposed extension of the no overnight parking zones. Mr. Elliott advised Council should have it prior to the next meeting.

Mr. Elliott advised if Council wished to have legislation prepared dealing with term limits for Boards and Commissions a motion should be made and seconded. Mayor Keebler advised Mr. Rutherford did not request legislation. Mr. Rutherford noted the issue needed to be a discussion item on Council's agenda.

Mr. Harman thanked Chief Schwein and Chief Detherage for their efforts noting because of their leadership the Police and Fire Departments had a great staff.

Mr. Blackburn advised the Oxford Relay for Life would take place beginning on Saturday at 1:00 p.m. at Millett Hall.

Mr. Blackburn noted Law Camp would also take place this weekend and 150 Butler County children could participate in the three day event.

Mr. Blackburn encouraged everyone to attend the Oxford fireworks on July 3, 2011.

ADJOURN

Mr. McKeehan moved to adjourn at 9:33 p.m. Mr. Harman seconded. The motion passed 6-0-0.