A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 18, 2013 at 7:00 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; Mr. Jung-Han Chen, Community Development Director; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan 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. Snyder seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. McKeehan moved to return from Executive Session at 7:37 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION
'RACE ACROSS AMERICA DAY'

Mayor Keebler read the Proclamation and presented it to RAAM volunteer, Ms. Karen Dawisha.

Ms. Karen Dawisha, 478 White Oak Drive, thanked Council for the Proclamation and noted it would be displayed at the timing station tent for the bicyclists and volunteers. Ms. Dawisha encouraged everyone to stop by the timing station to cheer the riders on.

PUBLIC HEARING
TAX BUDGET 2014

Mr. Bogard moved to open the Public Hearing at 7:40 p.m. Mr. Harman seconded. The motion passed 7-0-0.

Mr. Newlin advised this was the annual Tax Budget to be submitted to the Butler County Tax Commission in accordance with requirements stipulated by the Ohio Revised Code. Mr. Newlin noted approval by the legislative body was required by July 15th and it was due to the County Auditor by July 20th. Mr. Newlin advised this tax budget provided a first glimpse of the 2014 General Fund budget and it was prepared with very few changes from the 2013 budget. Mr. Newlin outlined those changes as presented on page 19 of the agenda. Mr. Newlin noted in August staff would undertake the detailed line-item budget analysis and preparation and the final budget would be submitted for Council approval in November.

Mr. Snyder moved to close the Public Hearing at 7:43 p.m. Mr. Bogard seconded. The motion passed 7-0-0.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Mr. Bogard moved to appoint Greg Smith and Bill Brewer to the Civil Service Commission for a three year term ending in 2016, Michael Schnipper and Prue Dana to the Board of Zoning Appeals for three year terms ending in 2016, Seth Geisler to the Housing Advisory Commission for a four year term ending in 2017, Kurt Kronholm and Vicente Mira to the Student Community Relations Commission for three year terms ending in 2016, Peter McCarthy and Robert Bell to the Planning Commission for five year terms ending in 2018, Randy Eaton to the Board of Appeals (Building/Housing) for a five year term ending in 2018 and Steve Dana to the Income Tax Board of Review for a three year term ending in 2016. Mr. McKeehan seconded. The motion passed 7-0-0.

Mayor Keebler noted there were still vacancies on the Civil Service Commission, Community Relations Commission, Environmental Commission, Recreation Board, Building and Housing Board of Appeals and the Income Tax Board of Review and encouraged those interested to obtain an application online or at the City Building.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the June 4, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the June 5, 2013 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the June 5, 2013 Environmental Commission Meeting. (Jung-Han Chen, Community Development Director)

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

ORDINANCES
FIRST READING
CHARTER AMENDMENT

An Ordinance Providing For The Submission To The Electorate Of An Amendment To Article Nine, Nominations And Elections, Section 9.03, Nomination, Amending Section 9.03 Of The Charter Of The City Of Oxford, Ohio, To Comply With The Current Laws Of The State Of Ohio, And To Place The Same On The Ballot At The General Election, November 5, 2013. (Doug Elliott, City Manager)

Mr. Elliott advised the current Charter of the City of Oxford required nominating petitions for City Council candidates to be filed with the Butler County Board of Elections at least 75 days prior to the General Election and the state law required nominating petitions to be filed at least 90 days prior to the General Election. Mr. Elliott noted staff believed it was in the best interest of the City to amend the Charter so it coincided with the state law. Mr. Elliott advised if Council approved the Ordinance it would be submitted to the Board of Elections and be on the ballot for the November 5, 2013 General Election and he would ask the residents to support the change to the Charter so the City's nominating petition coincided with the Ohio Revised Code. Mr. Elliott noted in the interim, the City Attorney sent a letter to the Board of Elections asking them to utilize a revised nominating petition which indicated the filing deadline was 90 days prior to the General Election. Mr. Elliott noted the City Attorney also advised the Board of Elections that the City planned to have a Charter Amendment placed on the November ballot to change the filing deadline from 75 to 90 days prior to the General Election.

Mayor Keebler advised the language would reflect that petitions shall be filed in accordance with the current laws of the State of Ohio to avoid future conflicts.

Mr. McHugh encouraged those who planned to file a nominating petition for the office of City Council to do so in July. Mr. McHugh noted the filing deadline was August 7th at 4:00 p.m. this year.

Mayor Keebler advised Oxford's current nominating petition with a filing date of 75 days prior to the General Election had not been contested but reiterated that it was safer to follow the state law which was 90 days prior to the election.

Mr. Snyder noted it was difficult enough to run for Council without confusion regarding filing dates. Mr. Snyder encouraged voters to support the proposed Charter Amendment.

ORDINANCES
SECOND READING

ORDINANCE
2014 TAX BUDGET

An Ordinance No. 3220 Authorizing The Tax Budget For The Year 2014 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin had no further comments regarding the Tax Budget and there were no comments from the public or from Council.

Mr. Snyder moved to adopt Ordinance No. 3220. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
FINAL PLANNED DEVELOPMENT

An Ordinance No. 3221 Approving The Planning Commission's Recommendation For Final Plan Approval Of The Planned Development At The Former Wal-Mart Site (419 South Locust Street) To Allow A Development With Commercial And Residential Uses With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Snyder advised the proposed Ordinance had been amended based on Council's comments from the First Reading.

Mr. Snyder moved to substitute the amended Ordinance in place of the Ordinance presented for First Reading for Council's consideration this evening. Mr. Bogard seconded. The motion passed 6-0-1 with Mr. McKeehan abstaining.

Mr. McKeehan recused himself from the discussion and the vote.

Mr. Chen advised there was a lot of discussion at the last meeting which specifically dealt with condition #3, condition #6 and condition #8. Mr. Chen noted Council had before them an amended Ordinance to address the concerns raised during the First Reading. Mr. Chen advised Condition #3 as presented addressed the vehicular and pedestrian traffic at Locust Street and Wells Mill Drive., Condition #6 as presented addressed an agreement between the developer and the Lane Public Library and Condition #8 addressed the two westernmost outbuilding pads.

Mr. Chen noted Condition #16 was added for Council's consideration which would eliminate a parent overnight suite to avoid any confusion in the future related to rental units. Mr. Chen advised the revised language was sent to the developer on Friday for his comments.

Mr. Robert Fiorita, New Village Communities, LLC., advised the new language did not cause any issues of major consequence. Mr. Fiorita noted representatives from Lane Library were in attendance this evening. Mr. Fiorita advised he was in the process of negotiating a lease with the library which was a complicated matter since the library would own a building on leased property that New Village Communities would lease from another party. Mr. Fiorita noted the library would like to obtain the tax exempt status they were entitled to which might require an additional lot. Mr. Fiorita advised New Village Communities had hoped to construct the library building but probably would not due to the bid process and noted if that was the case they would have no control over the construction schedule. Mr. Fiorita referred to condition #8 on page 39 of the agenda and noted the pads for the two westernmost outbuildings would be curbed and grassed but sidewalks and handicapped ramps would not be installed until a tenant was secured. Mr. Fiorita advised the second coat of asphalt for the parking lot would be laid once construction of the library building was complete. Mr. Fiorita noted the parent unit was not an economic incentive, it was to satisfy the parents of future tenants.

Mr. Snyder referred to condition #6 on page 38 of the agenda and asked if a motion to amend was needed.

Mr. Blackburn moved to amend the maximum number of lots from two to three. Mr. Harman seconded. The motion passed 6-0-0.

Mayor Keebler noted he felt the revised language did a good job of covering the issues Council discussed at the last meeting. Mayor Keebler advised he knew there was still concern about traffic patterns but he did not feel Council should suggest major changes to the traffic pattern of S. Locust Street until staff came forward with a City plan for the entire corridor. Mayor Keebler noted he felt to hold the developer responsible for fixing potential traffic concerns was going too far.

Mr. Bogard noted at the last meeting Council discussed having staff design and engineer whatever was needed to facilitate traffic in and out of the commercial districts. Mr. Bogard inquired if New Village Communities would approve the design of the library building even if they did not build it and Mr. Fiorita advised yes.

Ms. Rousmaniere referred to condition #3 on page 37 of the agenda and advised she was pleased that a marked sidewalk would be provided connecting the north side of Wells Mill Drive to the southwest corner of the project. Ms. Rousmaniere referred to condition #6 on page 38 of the agenda and noted that no building permits for any structure on the site would be issued until an agreement between the Lane Public Library and New Village Communities was signed and the construction of the library building and the two-story commercial building would be in concurrence with the construction of the residential development. Ms. Rousmaniere also noted no occupancy of any residential dwellings on the site would be granted until there was substantial completion of the two-story commercial structure exterior shell, the library building exterior shell, and the commercial area site improvements. Ms. Rousmaniere advised she wanted the public to have the information provided in the Ordinance.

Ms. Rousmaniere referred to condition #8 on page 38 of the agenda and noted that no drive-through for the outbuildings were approved at this time. Ms. Rousmaniere advised the developer would have to obtain a separate approval for a drive-through depending on what kind of a tenant would occupy the outbuildings.

Mayor Keebler referred to condition #16 on page 39 of the agenda and noted staff felt the overnight parent-unit was problematic because it would provide more residential units than the zoning allowed. Mayor Keebler advised his personal opinion was that 260 residents with one parental unit would be more trouble than it was worth.

Mr. Bogard referred to condition #6 on page 38 of the agenda and inquired if the commercial structure would be filled with a commercial entity prior to the construction of the residential units. Mr. Fiorita advised it would be in New Village Communities best interest to fill the commercial structure as soon as possible and they would give it their best effort as they would have a mortgage to pay. Mr. Fiorita noted there had been open dialog with Panera Bread regarding the outbuildings.

Mr. Harman inquired what the original reasons were for including a parental unit in the project. Mr. Fiorita advised the idea was brought to them by the third party student housing management company who felt it was an added benefit. Mr. Fiorita noted there would be a full-time maintenance and leasing staff at the development who would oversee renting the proposed parental unit. Mr. Fiorita noted the way to regulate the parental unit was to call it a hotel and hotel tax would be paid for its use. Mr. Harman noted his parents lived in an assisted living building which contained guest quarters which were very convenient for family members.

Ms. Rousmaniere moved to adopt Ordinance No. 3221 as amended. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

Mr. McKeehan returned to the dais.

ANNOUNCEMENTS

Mr. Elliott updated Council and the public with regard to HB190 which was introduced in the House Commerce, Labor, and Technology Committee on June 4, 2013. Mr. Elliott advised the bill proposed to exempt political subdivisions, special districts, or state intuitions of higher education from the requirements of the Prevailing Wage Law, unless they elected to be subject to those requirements. Mr. Elliott noted he supported the bill because he believed it would lower the City's construction and administration costs for work contracted out and over time it would permit the City to do more construction projects. Mr. Elliott advised he would follow the bill carefully and keep Council and the public posted on its progress.

Mr. Elliott advised the City received an urgent message from the Ohio Municipal League that proponents of HB5 which dealt with municipal income tax reform were trying to expedite the bill. Mr. Elliott noted the Ohio Municipal League asked municipalities to send a letter to their representatives and forward a copy to the Chairman of the House Ways and Means Committee regarding the municipality's concerns with expediting the bill. Mr. Elliott advised he sent the letter given that Council passed a Resolution opposing HB5 as written earlier in the year. Mr. Elliott noted his hope that hearings would continue regarding the bill and that there would be thoughtful, careful, analysis, review and discussion of the changes and that the final bill would be revenue neutral.

Chief Holzworth noted it was exciting to see the first Race Across America bicyclist come through Oxford yesterday.

Chief Holzworth advised Miami alumni would be arriving for the annual Alumni Weekend beginning on Friday.

Chief Holzworth advised Respect for Law Camp would take place June 28, 29 & 30th and encouraged Council to watch some of the events. Chief Holzworth noted Respect For Law Camp was a life changing event for many Butler County youths.

Mr. McHugh reiterated that anyone who planned to run for Council should file their nominating petition with the Board of Elections on or before August 7, 2013 at 4:00 p.m. Mr. McHugh encouraged candidates to file their petitions in July.

Mr. Bogard reminded everyone to follow the Oxford Press for the July 3-4th events scheduled at the Oxford Community Park.

Ms. Rousmaniere thanked the Service Department and the Parks and Recreation Department for their assistance with Race Across America. Ms. Rousmaniere noted Chief Holzworth was at the timing station as the first bicyclist came through Oxford and some Police Officers had stopped by as well as members of the Oxford Fire Department. Ms. Rousmaniere also thanked the Oxford Visitors Bureau and the Lions Club for their support of the event. Ms. Rousmaniere noted there were 60 timing stations across the country and Oxford was one of 10 timing stations that was manned 24 hours a day with volunteers, food, drinks and members of the community.

Mr. Blackburn noted that 100 to 150 Butler County children would attend Respect for Law Camp where they would spend the weekend with 50 of their favorite Police Officers. Mr. Blackburn advised the children learned that Police Officers were their friend and mentor. Mr. Blackburn noted this was the 16th or 17th Respect for Law Camp in Oxford and a lot of officers from other cities returned each year to participate.

Mr. Blackburn reminded everyone that the Music Festival would take place on Thursday.

Mayor Keebler advised the Oxford Relay for Life would take place Saturday, June 29th at Millett Hall which was another great event.

Mayor Keebler advised the Oxford Visitors Bureau recently redesigned their website which did a great job of highlighting the City, businesses, and things to do in Oxford. Mayor Keebler encouraged everyone to visit the website.

ADJOURN

Mr. Bogard moved to adjourn at 8:29 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.