A Special Meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, June 29, 2010 at 7:00 p.m. Those members present were Ken Bogard, Kate Currie, Bob Blackburn, John Harman, Kevin McKeehan and Greig Rutherford.

Staff members present: Mr. Doug Elliott, City Manager; Joe Newlin, Finance Director; Alan Kyger, Economic Development Director; Jung-Han Chen, Community Development Director; Steve McHugh, Law Director and Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

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

STAFF PRESENTATION/PROPOSED EARNINGS TAX INCREASE TO FUND FIRE/EMS SERVICE IMPROVEMENTS

Mr. Elliott provided a PowerPoint Presentation and discussed the various reasons why a tax increase was necessary to continue funding the City's Fire/EMS services. Mr. Elliott noted the increased call volume, increased training requirements, difficulty in recruiting and retaining volunteers, and the need to improve response time. Mr. Elliott discussed the staffing increases since 2007 which resulted in a change from an all volunteer operation in 2006 to a combined operation in 2010. Mr. Elliott advised the additional staff resulted in increased costs which had negatively impacted the General Fund and reduced capital spending. Mr. Elliott advised the options to remedy the situation included reduced spending; other revenue options (fees), improving operations and a tax increase. Mr. Elliott discussed the city's objectives which included the restoration of the General Fund, the restoration of transfers to Capital Funds, additional staffing for the Fire/EMS Division, the creation of separate Fire/EMS Fund to account for all revenue and expenditures and for Council to decide on the required property or income tax increase to place on the November ballot. Mr. Elliott discussed several staffing options and recommendations and summarized the fiscal effects of $1 million in additional revenue. Mr. Elliott discussed several cost saving initiatives the City had recently implemented. Mr. Elliott noted what the current tax rates in other Butler County jurisdictions were.

COUNCIL DISCUSSION

Ms. Currie inquired what the cost would be to add one part-time Firefighter/EMS per shift and Mr. Elliott advised $200,000 which included fringe benefits. Ms. Currie noted concern that the option of a 0.25% earnings tax increase may not be enough to reach the staffing goal. Mayor Keebler advised Council needed to look at the reality of what could be attained. Mayor Keebler noted the potential proceeds would be deposited in a separate fund making the General Fund whole. Mayor Keebler advised people needed to understand that Council chose to add staffing to the Fire/EMS Division knowing it would result in deficit spending because Council felt they did not have a choice.

Mayor Keebler noted it was too difficult to rely on volunteers to cover the calls and the City had experienced slow responses or no response to an emergency call. Mayor Keebler noted the dedicated group of volunteers had been overtaxed and could not donate enough time because of the increase in calls and other commitments in their schedules although volunteers would always be an important part of the Fire Department. Mayor Keebler noted all too often no one showed up for a call which was why Council felt the need to enter into deficit spending by hiring part-time Firefighters and EMS personnel knowing full well deficit spending could not continue. Mayor Keebler noted response times had improved dramatically with the addition of part-time staffing which included paramedic service for the first time in Oxford. Mayor Keebler advised Council felt they had to provide a better level of service to Oxford citizens and noted he did not think Council could ask for more than a 0.25% tax increase. Mr. Bogard noted the issue could be revisited in 2-3 years. Mr. Rutherford advised City services would have to be reduced or income tax would have to be increased and he would like to see a 0.25% tax increase established so the City was fiscally sound and could maintain the current level of service as well as add some much needed improvements to the Fire Department.

PUBLIC PARTICIPATION

Mr. Paul Brady, College Corner Pike, advised he felt the issue should be placed on the ballot and let the citizens decide its outcome. Mr. Brady advised the Fire Department's Master Plan called for substantially more money than what a 0.25% tax increase would provide and noted concern with multiple tax increases being placed on future ballots. Mr. Brady discussed the possibility of Miami University assisting more with funding the Fire Department noting they had paid 1/3 of the cost for new vehicles since the 1990s. Mr. Brady noted in 2009 44% of EMS calls were for Miami University or Mile Square addresses. Mr. Brady discussed the soft billing process for Fire and EMS runs and possible ways to improve the revenue generated. Mr. Brady noted his feeling what Council was looking at with a 0.25% tax increase could not be sustained.

Mr. Elliott advised the Fire Department's Master Plan had not been adopted and noted Mr. Brady made some very good points. Mr. Elliott thanked Mr. Brady for attending the Ad-Hoc Fire/EMS Committee meetings.

Ms. Prue Dana, 6314 Fairfield Road, advised having been a part of Council when the decision was made to go into deficit spending she felt a sense of responsibility to respond to Council at this time. Ms. Dana noted she echoed Mr. Brady's comments but felt the information staff provided was very good as well. Ms. Dana advised she supported Option 'A' at this time because of the economic situation everyone was in and Option 'A' would allow the City to maintain the current staffing level. Ms. Dana noted the importance of making this plea very clear to the voters and very clear that it would be an earnings tax because of the number of retirees in Oxford. Ms. Dana noted she saw earnings tax as a way to spread out the responsibility to everyone who worked in and around Oxford which answered the question of Miami University's responsibility. Ms. Dana thanked Council for their hard work on this initiative and offered to participate in any way possible to help educate the public and let them know how critical this issue was.

COUNCIL DISCUSSION

Mayor Keebler reiterated that the Fire Department's Master Plan had not been adopted but he would like to work towards the adoption of it. Mayor Keebler noted in this economy the City needed to maintain what was in place and make improvements where possible. Mayor Keebler advised Mr. Brady made good points and the City needed to continue working with the university on ways to enhance what the City was able to collect for services performed. Mayor Keebler noted he appreciated Miami University's voluntary contribution of 1/3 of the cost of new Fire Department apparatuses which they had been doing since the 1990's. Mayor Keebler advised approximately 50% of current City earnings tax came from Miami University employees. Mayor Keebler noted it was important to cover the City's deficit and during the budgeting process Council needed to work with the City Manager and Fire Chief to decide how to make the best use of funds to provide the needed Fire and EMS coverage for the citizens.

Ms. Currie noted it was a difficult decision for Council to add the part-time staffing for the Fire Department knowing they couldn't think about funding it until now but the department was not able to cover the Fire and EMS runs. Ms. Currie noted the critical issue would be to maintain what was in place now and if an income tax increase was not passed she did not know how the City would be able to maintain the current staffing. Ms. Currie noted Council moved forward and did what they needed to do to keep the citizens safe and now a tax increase was necessary to maintain that.

Mr. Bogard advised it had been seventeen years since the last tax increase and the City had increased services over those years. Mr. Bogard noted Council needed to be clear and distinct with their message to the public that this would be the plan for the first phase of improvements in the Fire/EMS Department. Mr. Bogard noted the future economy might take care of additional staff and equipment as Council planned for the future. Mr. Bogard advised he felt Council needed to maintain the current staffing and when the economy improved additional staff and equipment could be added. Mr. Bogard reiterated that Council needed to have a clear and distinct message and plan as they went to the voters this fall for a levy.

Mr. Rutherford advised he wanted the public to realize that if the economy were good right now the City would be in the same situation. Mr. Rutherford noted there was a significant need to provide additional Fire/EMS staffing so the City could properly serve the citizens in a timely manner. Mr. Rutherford advised the problem of Fire/EMS service was one that had been building regardless of economic times. Mr. Rutherford noted the impact of the current economy was that the City was deficit spending on an unsustainable path. Mr. Rutherford advised Council was proposing an earnings tax as it would distribute the burden most equitably. Mr. Rutherford advised a significant number of calls for the Fire Department came from campus and were unnecessary, non-transport calls and perhaps the Bursars Office could bill for those calls. Mr. Rutherford suggested issuing a civil citation to those who called for service and then refused transport. Mr. Rutherford advised he would like to see a residency requirement for Miami University students and for the City to look into the tax sharing provision in the Ohio Revised Code for those students who left Oxford for the summer. Mr. Rutherford advised Mr. Newlin was looking into the possibility of a public safety fee.

Mr. Harman advised if a tax increase made it on the November ballot education of the public would be paramount. Mr. Harman noted the public needed to know Council was looking at other revenue sources but those couldn't completely fund what was needed for the Fire Department. Mr. Harman advised the citizens also needed to know the City had been successful in saving costs in other areas. Mr. Harman noted it was the education overall that would determine whether or not a tax increase would pass if it made it to the November ballot.

Mr. Blackburn noted the public didn't really know Council had tried other possible ways to increase revenue. Mr. Blackburn advised Council wanted to stay away from a property tax because Butler County had pounded on everyone. Mr. Blackburn advised he didn't know if the Bursar at Miami could or would bill for emergency services. Mr. Blackburn noted issuing a civil citation for an unnecessary call was not a bad idea but he did not know if the judge would uphold it. Mr. Blackburn reiterated that Council was looking at an earnings tax not an income tax and it would not affect senior citizens.

Mr. McKeehan noted he was not a big fan of taxes but the City needed Fire and EMS coverage to provide for the safety of our residents and visitors. Mr. McKeehan reiterated that Council was working on other means of increasing revenue. Mr. McKeehan advised he was very concerned that earnings taxes would decrease over the next few years via Miami as they were looking very hard at reducing their budget.

Mr. Rutherford moved that Council through voice vote request the City Manager to prepare legislation outlining a 0.25% earnings tax increase for the City of Oxford to fund Fire and EMS services to be placed on the ballot in November 2010. Mr. Blackburn seconded. The motion passed by the following roll call:

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

NAY: Mr. Harman (1)

ABS: None (0)

ADJOURNMENT

Mr. Rutherford moved to adjourn at 8:31 p.m. Ms. Currie seconded. The motion passed 7-0-0.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, July 6, 2010 at 6:45 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. Bogard moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(2) for the purpose of considering the sale of property. Ms. Currie 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. Blackburn moved to return from Executive Session at 7:36 p.m. Mr. McKeehan 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

PRESENTATION
OXFORD POLICE DEPARTMENT

Chief Schwein noted the Police Department lost part of its canine team last spring with the passing of Simon whose handler was Officer Shawn Terrell from 2002 to 2010. Chief Schwein, Lieutenant Horvath and Sergeant King presented Officer Terrell with a plaque and a tombstone for Simon who was buried on Officer Terrell's property.

PRESENTATION
OXFORD COLLEGE CORNER CLINIC

Ms. Lisa Gadaleta, reviewed the Clinic's 2009 annual report with Council noting they provided 144 patients with medications at a cost of $230 per patient per year, assisted 16 patients in filing for disability status and enrolled 30 patients in pharmacy assistance programs. Ms. Gadaleta advised there were 332 total visits to the clinic and 86% of those visits were in Ohio and 14% were in Indiana. Ms. Gadaleta thanked Council for their support and offered to answer any questions.

Mayor Keebler thanked Ms. Gadaleta for the report and for the good work the clinic provided.

RIGHT-OF-WAY REQUEST
MOBILE HEALTH UNIT

Mr. Christopher Escue, Project Coordinator for Miami University's Mobile Health Unit addressed Council noting they provided health education for Miami University and the community on campus and Uptown Oxford. Mr. Escue advised the university wished to park the Mobile Health Unit Uptown on various weekends from August to December.

Chief Schwein advised the vehicle could be parked on the East side of N. Poplar Street.

Mayor Keebler encouraged members of the community to visit the Mobile Health Unit noting they provided a comprehensive service.

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

NOTICE TO
LEGISLATIVE AUTHORITY

Transfer permit from Oxfood Inc Susan L. Rhiel Bkrtcy DBA LaRosas 21 Lynn Ave Suite 101 Oxford, Ohio 45056 to Wild Bistro Inc DBA Wild Bistro37 E. High Street Oxford, Ohio 45056.

Chief Schwein advised this was a new permit for Wild Bistro and Officer Robinson had contacted them to schedule training for their employees.

Mayor Keebler noted the permit was owned by the former owners of LaRosas and had been tied up in bankruptcy court. Mayor Keebler advised it was now being transferred to Wild Bistro.

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

NOTICE TO LEGISLATIVE AUTHORITY

New permit for Wills Uptown Pizza & Carryout LLC DBA Wills Pizza 11 W. Church Street Oxford, Ohio 45056.

Mr. Rutherford recused himself.

Chief Schwein advised the permit would be held by the owners of two existing businesses in Oxford with liquor permits which had no violations for the past two years. Chief Schwein noted the employees of this establishment would receive the same training as any new business in Oxford.

Ms. Currie moved to accept the notice without comment. Mr. McKeehan seconded. The motion passed 6-0-0.

Mr. Rutherford returned to the dais.

NOTICE TO LEGISLATIVE AUTHORITY

New permit for Fiesta Charra Inc 25 W. High Street Oxford, Ohio 45056.

Chief Schwein advised the Police Department would work with the owners of Fiesta Charra regarding their adherence to liquor laws.

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

PUBLIC COMMENTS

Ms. Bobbe Burke, 722 David Drive, made a personal appeal to Council to participate in the welcome back Walk About which would take place August 22nd and 23rd. Ms. Burke noted it made a huge impact with the students when members of Council and staff participated in the event. Ms. Burke thanked Council members for their participation in the past and noted her hope they would participate again.

Ms. Kathleen Zien, 6060 Joseph Drive, inquired what the term limits were for members of the Board of Zoning Appeals. Ms. Zien asked staff to go through the records to see how long the current Chair of the Board of Zoning Appeals had been on the board and how many years as Chair. Ms. Zien noted her feeling it was unfortunate that recent member Mr. Houk was not reappointed despite his willingness to serve another term. Ms. Zien noted Mr. Houk had served on the Planning Commission and HAPC and was knowledgeable about the Zoning Code. Ms. Zien encouraged Council not to reappoint those who did not well serve this critical assignment. Ms. Zien noted her feeling Council had not reappointed good people to the BZA and had retained those who were unprepared for meetings. Ms. Zien noted a Council member had not attended a BZA meeting since 2006 and encouraged them to do so as it would be an eye opener. Ms. Zien noted variances should be the exception not the rule and every one granted was in opposition to the Comprehensive Plan or Zoning Code and approved a deviation from what were to be well designed conditions and standards for Oxford. Ms. Zien advised when she addressed Council during public comments again she would discuss the June BZA meeting and the impact of what the phrase 'standing' meant.

CONSENT AGENDA

MINUTES

Minutes of the June 15, 2010 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

MINUTES

Minutes of the June 15, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the June 8, 2010 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the June 10, 2010 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Report regarding the June 16, 2010 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTIONS

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4548 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, August 20, 2010, from 8:00 p.m. to 1:00 a.m. at Cook Field on Miami's campus for a Campus Activities Council sponsored concert. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4549 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, September 10, 2010, from 9:00 p.m. to 1:00 a.m. on the patio at the Shriver Center on Miami's campus for a Program Board sponsored party. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
PERFORMANCE BOND

A Resolution No. 4550 authorizing a $326,346.50 reduction of a performance bond in the form of a letter of credit in the amount of $431,590.50 for Campus Commons Subdivision, Phase One, and accepting a new performance bond in the form of a letter of credit in the amount of $105,244.00. (Mike Dreisbach)

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

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTION 507.01

An Ordinance Repealing Oxford Code Of Ordinances Section 507.01, Entitled "Police Civil Citations", And Adopting New Section 507.01 Entitled "Police Civil Citations". (Richard Keebler, Mayor)

Mr. Elliott advised in June he issued a directive that employees of the Oxford Police Department shall no longer issue citations under the City of Oxford Codified Ordinances or Motor Vehicle Law for the display of front license plates as a single offense. Mr. Elliott noted after discussion of the issue Mayor Keebler requested legislation to remove the regulation under the Police Civil Citation Ordinance.

Mr. Harman advised the proposed Ordinance would make the citation $165.00 as opposed to $60.00 under the Police Civil Citation Ordinance. Mr. Harman noted he did not understand the rationale behind the proposed Ordinance.

Mayor Keebler advised until six months ago there were no civil citations for motor vehicle offenses and Council adopted an Ordinance to make the process more user friendly. Mayor Keebler noted Officers were sometimes hesitant to write citations because of the cost of the fine under the motor vehicle laws. Mayor Keebler advised Oxford became the 'front license plate citation capital of Ohio' and he did not feel the offense belonged in the Police Civil Citation Ordinance. Mayor Keebler noted he did not want to encourage Officers to issue a civil citation because it was less expensive for the violator.

Mayor Keebler requested clarification of the fines and court costs and Chief Schwein advised he would obtain the information.

Mr. Rutherford advised he felt it was admiral for staff with the Law Director and Police Chief to establish the Civil Citation provision within the code. Mr. Rutherford noted the front license plate issue seemed to get out of control. Mr. Rutherford suggested issuing a citation with no fee for a first offense, a civil citation fee of $60.00 for a second offense and issuing the citation under the Oxford Traffic Ordinance for a third offense which would send the violator to court and would be $105.00 in addition to other fees. Mr. Rutherford inquired if there would be a legal difficulty with what he suggested.

Mr. Elliott advised 'fix it' tickets or warnings could be issued.

Mr. McHugh advised Council might want to consider removing the front license plate regulation from the Police Civil Citation Ordinance and inquired what else would become a warning. Mr. McHugh advised Council to be consistent with what violations would become a warning.

Ms. Currie, Mr. Bogard and Mr. McKeehan were in favor of the proposed Ordinance.

Ms. Kathleen Zien, 6060 Joseph Drive, inquired if an Indiana vehicle would receive a ticket for not having a front license plate and Mayor Keebler advised no.

ORDINANCE
INCOME TAX RATE INCREASE

An Ordinance Authorizing The City Of Oxford, Ohio, Pursuant To Ohio Revised Code Section 718.01(C) To Place On The Ballot At The General Election On November 2, 2010, A Proposed Ordinance Repealing Section 181.01, "Purpose", Section 181.03, "Imposition Of Tax", And Section 181.04, "Effective Period", Of The Oxford Codified Ordinances, And Adopting New Section 181.01, "Purpose", Section 181.03, "Imposition Of Tax", And Section 181.04, "Effective Period", Of The Oxford Codified Ordinances To Increase The Income Tax Rate By One Quarter Of One Percent (0.25%) For The Purpose Of Maintaining And Improving Current Fire And Emergency Medical Services General Operation, Equipment And Facilities And Declaring An Emergency. (Doug Elliott, City Manager)

Mr. Elliott advised Council held a Special Meeting on June 29, 2010 to discuss a proposed earnings tax increase to fund Fire/EMS Service Improvements and to receive citizen input. Mr. Elliott noted as a result of the meeting Council directed staff to prepare legislation to put on the November 2, 2010 General Election Ballot the question of whether or not to increase the City's earnings tax by .25% to 2%. Mr. Elliott advised the reasons a tax increase was being proposed were the increased call volume, increased training requirements and difficulty recruiting and retaining volunteers. Mr. Elliott noted there was also a need to improve response times and in 2007 an Assistant Fire Chief position was added, in 2008 a first shift of part-time Firefighters/EMTs were added and in 2010 a second shift of part-time Firefighters/EMTs were added moving from an all volunteer department to a combination department. Mr. Elliott advised response times had improved by an average of 3.5 minutes which was significant.

Mr. Elliott advised the improvements had increased spending by $1,000,000 and staff felt it was necessary to ask the voters for an increase in the income tax to fund the improvements and possible future improvements. Mr. Elliott noted the PowerPoint programs that were presented at the Special Meeting and previous meetings were on the City's website so voters could review them and encouraged citizens to contact his office or the Fire Chief with questions regarding the need for the proposed increase. Mr. Elliott advised the proposed legislation needed to be filed with the Board of Elections by August 4, 2010. Mr. Elliott noted this was the first reading of the proposed Ordinance which was required by statute and the second reading would occur at the next meeting as an emergency so it would be in effect by the August 4th deadline. Mr. Elliott advised a corresponding Resolution would be placed on the next agenda as well. Mr. Elliott noted his hope citizens would attend the next meeting to offer their comments.

Mayor Keebler advised service was also upgraded from Basic EMT service to Paramedic service on the first out ambulance and Council agreed to deficit spend to make that happen.

Ms. Kathleen Zien, 6060 Joseph Drive, discussed a recent article in the Oxford Press and the issue of Miami students being residents of Oxford. Ms. Zien noted what Oxford could receive from a property tax was more significant and justified than an earnings tax and suggested adding an annual fee to rental permits to cover fire and police services. Ms. Zien suggested a minimum fee of $50.00 per renter per year by landlords who were filing for or renewing rental permits. Ms. Zien noted the property tax to protect homes was likely larger than an earnings tax on someone making minimum wage. Ms. Zien advised her feeling landlords should pay a proportional price to cover their properties and many tenants who required City services. Ms. Zien noted whether an unattended cigarette resulted in a fire call, or drunken behavior caused an ambulance call, the logical assumption was there was more risk for emergency services with non-owner occupied homes. Ms. Zien noted her belief a property tax worked for everyone who had property to be protected by fire and police staff. Ms. Zien advised her feeling an earnings tax was not an appropriate method for dollars to cover firemen or equipment. Ms. Zien noted there were clearly defined geographic boundaries for City services and if someone lived in that footprint not worked in it they should rightly pay for the services. Ms. Zien noted many people commuted to Oxford to work and she did not expect to pay for their City services nor should they pay for hers. Ms. Zien noted if the university was an issue being exempt from paying property taxes staff should check with other college towns and smaller cities to see how they financed their safety departments. Ms. Zien provided Mr. Elliott with a list of cities to check. Ms. Zien noted her hope Council would consider this a viable alternative solution to an earnings tax.

Mr. Richard Daniels, Emerald Woods Drive, referred to page 61 of the agenda Section VIII 'The proceeds from one-quarter percent (0.25%) increase of the income tax rate are to be used solely for the purpose of maintaining and improving current fire and emergency medical services general operation, equipment and facilities'. and suggested leaving some flexibility by removing the word 'solely'. Mr. Daniels noted he felt it was good that the proposed tax was tied to earnings because incomes would eventually increase as would the cost for services so there would be a natural rise on both sides of the equation.

Mr. Elliott advised Council had spent a lot of time discussing which way to proceed with a tax increase. Mr. Elliott noted one reason the earnings tax was proposed over a property tax was that the university was exempt from paying property tax. Mr. Elliott advised he was familiar with many of the cities on the list Ms. Zien provided and noted Athens had a separate EMT Service that was funded by a county-wide property tax. Mr. Elliott advised there were many different funding schemes and each community had to decide what was best for them. Mr. Elliott noted the issue of fees had been discussed and when fees were charged there had to be a direct benefit such as solid waste pick-up or water and sewer. Mr. Elliott noted Council and staff recognized this was a difficult time for the electorate to provide a tax increase but Council felt the Fire and EMS service had to be improved due to inadequate response or no response to emergency calls.

Mayor Keebler advised Council had discussed the tax increase issue extensively in Work Sessions that were open to the public and at their Special Meeting June 29, 2010 that was taped and broadcasted.

Mr. Rutherford advised Council's goal was to maintain and improve Fire and EMS service for people who lived here and worked here, worked here but did not live here, for those who studied here and for those who visited here. Mr. Rutherford noted anyone who requested service received it without discrimination. Mr. Rutherford advised an income tax was most equitable because it included those who worked here but did not live here and could potentially include those who studied here. Mr. Rutherford advised raising the fee for rental permits would impact the people who lived here and may be struggling with low wages and other difficulties. Mr. Rutherford advised those with rental income paid income tax on the rental income. Mr. Rutherford noted the proposed earnings tax would not affect retirement income. Mr. Rutherford advised his feeling Council needed to investigate whether or not there could be a public safety fee for non-residents or all of those who studied here because the City provided public safety to them although they did not contribute to the system.

Ms. Currie advised she saw this as one of the most important votes she would have a chance to make while on Council and sadly she would not be at the next meeting to vote on it. Ms. Currie noted Council felt it was imperative that the City provided Fire and EMS service to the community because people's lives were at stake and it was a huge decision. Ms. Currie advised as a community everyone needed to step up and assume responsibility for providing Fire and EMS service for themselves and for their neighbors. Ms. Currie noted last year Council made the decision to improve services because they felt it couldn't wait until a tax increase was passed. Ms. Currie advised that decision put the City in a pinch financially but she still believed it was the right decision and she hoped the community would come to see it was the right decision and move forward and pass the proposed earnings tax increase to keep strengthening the Fire and EMS services for the entire community into the future.

Mr. McKeehan advised the proposed earnings tax increase would not buy any tremendous luxuries for the Fire/EMS Department it would maintain the current level of service with very little added in. Mr. McKeehan noted it was Council's decision to go for a bare bones tax increase given the current economy.

Mr. Bogard referred to page 61 of the agenda and Mr. Daniels suggestion to remove the word 'solely' and inquired if some of those funds could redirected in the future.

Mr. Elliott advised he was recommending a dedicated fund be created for the proposed .25% increase. Mr. Elliott noted the goal was also to restore the financial condition of the General Fund. Mr. Elliott advised with the addition of the second shift part-time Firefighter/EMTs the City now had an estimated $550,000 deficit for this year of which approximately $300,000 was for the second shift. Mr. Elliott noted the City would create a separate fund to account for all Fire and EMS expenditures. Mr. Elliott advised if the proposed tax increase did not pass the second shift would be eliminated or cuts would be made elsewhere. Mr. Elliott noted the goals were for the proposed tax increase to pass, to maintain the current level of service and to restore the financial condition of the General Fund.

Mr. McHugh advised the proposed Ordinance was very similar to a real estate tax levy which was set up for a purpose and could only by law be used for that purpose. Mr. McHugh advised the proposed Ordinance was an emergency Ordinance and by Charter required a ¾ majority affirmative vote by Council which was 6 members. Mr. McHugh advised if the proposed Ordinance was not passed as an emergency it would not appear on the November ballot.

Mr. Bogard noted his hope Council would vote unanimously in favor of the proposed Ordinance.

Mr. Harman advised his concern was the citizens of Oxford including Miami University staff and faculty who had suffered two years of a salary freeze as well as other citizens who had not seen a salary increase in numerous years. Mr. Harman advised his feeling an earnings tax increase at this particular time was inappropriate and Council should look for other methods of increasing revenue.

Mr. Blackburn noted Council looked at a property tax increase and did not feel it was appropriate due to the high property taxes already being paid. Mr. Blackburn noted the proposed earnings tax increase would not provide for a full-time Fire Department a new Fire Station or new vehicles it would only maintain the current level of service.

Mr. Rutherford encouraged citizens to attend the July 20, 2010 Council meeting to voice their opinions regarding the issue.

Mayor Keebler advised what Mr. Harman said was true but he felt it was a small price to pay for the improvements that had been made in the Fire/EMS Department. Mayor Keebler noted it was a matter of public safety which trumped. Mayor Keebler advised the City needed more improvements in the Fire/EMS Department than what Council was asking for. Mayor Keebler advised it was a tough decision and it was up to Council to work with the citizens.

ORDINANCES
SECOND READING

ORDINANCE
CODE UPDATE

An Ordinance No. 3119 To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Ms. Eaton noted the replacement pages would bring the code books current to June 1, 2010.

Mr. Bogard moved to adopt Ordinance No. 3119. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

GENEAL DISCUSSION

Proposed expansion of the Colerain Township Rumpke Landfill.

Mayor Keebler advised Council received approximately 22 letters from Oxford citizens asking Council to take a position a court matter occurring in Hamilton County regarding the proposed expansion of the Rumpke landfill. Mayor Keebler noted he wasn't sure why another legislative body that had nothing to do with Colerain Township would have any legal standing in a court matter and he did not think it was an issue for Council to take a position on.

Mr. McHugh advised he would want to study the case before Council made any motion for or against the matter. Mr. McHugh noted to have a say in the litigation Council would have to be a party to it and it would be unusual for the City to become involved in this way.

After discussion Council concurred with Mayor Keebler and Mr. McHugh noting the best thing the City could do was continue promoting recycling initiatives for residences and commercial properties.

ANNOUNCMENTS

Mr. Elliott updated Council with regard to Census information.

Mr. Dreisbach updated Council with regard to the City's yard waste program.

Mr. Kyger updated Council with regard to the Miami Heritage Technology Park, the Revolving Loan Fund applications and the Marketing and Demographic RFP.

Ms. Currie encouraged everyone to attend the unveiling of the Bicentennial sculpture at the Community Park on Saturday, July 17, 2010 at 6:30 p.m. followed by a vintage baseball game. Mr. Currie noted she enjoyed all of the 4th of July festivities and thanked the Parks and Recreation Department for their efforts.

Mr. Bogard congratulated Gail Brahier, Parks and Recreation Director and her staff for the successful 4th of July activities and Kate Currie for the Bicentennial theme. Mr. Bogard advised the Adidas Soccer Tournament would return to Oxford's Community Park in 2011. Mr. Bogard provided a schedule of upcoming events at the Community Park. Mr. Bogard requested that Mr. Dreisbach provide an update on the improvement projects underway in the City and their estimated completion dates at the next meeting.

Mr. Rutherford encouraged everyone to visit two new restaurants Uptown, SoHi Grilled Sandwiches and Krishna Indian Restaurant. Mr. Rutherford encouraged everyone to visit the Farmers Markets and support the local growers.

Mr. Harman advised the 4th of July events were phenomenal and thanked the Parks and Recreation Department, Police Department, Fire Department, Service Department and Diana Durr of the Visitors and Convention Bureau for all of their efforts.

Mr. Blackburn advised Law Camp was another successful event. Mr. Blackburn noted the July 4th events were great. Mr. Blackburn encouraged residents at patronize the local BP station.

Mr. McKeehan thanked all of the City Departments for the wonderful 4th of July noting it was always enjoyed by his family. Mr. McKeehan advised he read an article recently about the Miller-Coors Plant in Trenton winning an award for recycling in excess of 98.9% of their plant's waste and noted it was staggering to comprehend a plant of that size could achieve such an award. Mr. McKeehan noted with that in mind everyone could do a better job of recycling.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:10 p.m. Mr. Blackburn seconded. The motion passed 7-0-0.