A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, July 17, 2012 at 7:15 p.m. Those members present were Ken Bogard, Bob Blackburn, Kevin McKeehan, and Kate Rousmaniere. John Harman and Steve Snyder were excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. 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) 3 for the purpose of discussing pending litigation. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. McKeehan, Ms. Rousmaniere, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:28 p.m. Ms. Rousmaniere seconded. The motion passed 5-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. McKeehan seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

RECOGNITION
PRUS CONSTRUCTION

Mr. Dreisbach advised in November of 2011 staff recommended to Council that High Street be rebuilt between Main Street and Poplar Street. Mr. Dreisbach noted Prus Construction was the lowest bidder for the project and the reference checks with neighboring communities were exceptional. Mr. Dreisbach advised this work was going to impact the Uptown businesses greatly and Council chose to add 2% to the contract for an accelerated completion date of July 15, 2012. Mr. Dreisbach noted the City had a great experience with Prus Construction and their sub-contractor Decorative Paving did an outstanding job. Mr. Dreisbach advised the project was substantially complete three weeks ahead of the accelerated deadline.

Mr. Dreisbach noted Prus Construction had a real concern for the Uptown businesses and wanted to do a good job and get the project done quickly. Mr. Dreisbach recognized Mr. Dennis Potts from Prus Construction who was in attendance and thanked him for a job well done.

Mr. Dennis Potts, thanked Council for the opportunity to do what Prus Construction did the best which was concrete work. Mr. Potts noted Prus Construction worked all over the United States and they were honored to be awarded this project and hoped to come back for an upcoming project. Mr. Potts advised it was a pleasure working with Mr. Dreisbach and all of City staff. Mr. Potts noted the Prus family was unable to be in attendance but sent their thanks for the recognition.

Mayor Keebler noted this was the first time he could remember recognizing a contractor and noted it was well deserved. Mayor Keebler advised this was the third block of work to be performed on High Street and the City had seen good contractors, however; this was a great one. Mayor Keebler noted organization was the key to any project and this project was truly organized which said a lot for the individual superintendent as well as the company. Mayor Keebler advised the contractor got the project done three weeks ahead of the accelerated schedule and opened the road part by part so people could park in front of businesses as quickly as possible. Mayor Keebler noted he had heard very good comments about the project from Uptown merchants.

PROCLAMATION
'PHI DELTA THETA WEEK'

Mayor Keebler read the Proclamation and presented it to Mr. Andrew Cole and Mr. Luke Benfield.

Mr. Luke Benfield, Director of Education, noted it was an honor to call Oxford 'home' and be in Oxford with Miami University. Mr. Benfield advised Phi Delta Theta had a great history with the City and the school with regard to their Emerging Leaders Institute and noted approximately 500 undergraduate and alumni members would be in town the first week in August. Mr. Benfield advised Phi Delta Theta was looking forward to hosting the conference again and thanked Council for their support. Mr. Benfield noted they would do everything in their power to ensure their men upheld their reputation of being upstanding gentlemen.

PRESENTATION
OXFORD SENIORS

Mr. Gene Willeke, 1007 Cedar Drive, provided a PowerPoint Presentation entitled 'Reducing Obstacles to Aging in Place in Oxford'. Mr. Willeke discussed senior demographics in the greater Oxford area and the concept of creating a Naturally Occurring Retirement Community (NORC) or Village in Oxford. Mr. Willeke noted for the past year Oxford Seniors had actively explored what was being done in other communities to help people remain in their homes, and what could be done in Oxford. Mr. Willeke noted in the Spring semester they were assisted by students from the Scripps Gerontology program in conducting interviews and creating focus groups with people who had retired or were planning to retire soon. Mr. Willeke noted this summer a graduate student was working on a business plan and another student was creating a vetted list of handymen and other service providers.

Mr. Willeke discussed the differences between NORCs and Villages, what each of them did, and their categories of service. Mr. Willeke advised the Ohio Department of Aging was very interested in bringing more NORCs/Villages into existence as quickly as possible, and was expected to issue a request for proposals soon to help them get off the ground. Mr. Willeke noted Oxford stood a good chance of being a recipient of those funds which could enable the operation of a NORC/Village within about a year. Mr. Willeke discussed the need for public transportation within Oxford and outside Oxford and the need for additional housing units in Oxford suitable for seniors at all price levels for sale and for rent. Mr. Willeke noted Oxford Seniors would like to support the City in its effort to have Butler County RTA provide bus service for Miami University and the City, would like to encourage a housing survey to better define what was needed, and they would like the City to express its desire to make Oxford a retirement destination.

Ms. Rousmaniere inquired how a City declared that it was a retirement destination. Mr. Willeke noted it would be a generally stated goal incorporating that Council was receptive to it and would encourage it. Mr. Willeke advised it would also encourage those involved with the possibility of creating a NORC/Village to proceed.

Mr. Bogard advised he saw this as a way to market Oxford as a retirement community and noted research indicated that Oxford was the number 2 or 3 most desirable place in Ohio to retire. Mr. Bogard advised developers and City staff would be needed to get housing in place as there was land available.

Mayor Keebler noted there were a lot of things to think about and it would be interesting to see how some of the ideas presented tonight would progress.

PUBLIC COMMENTS

Mr. Larry Rankin, 610 French Drive, noted he was a retired Accounting Professor. Mr. Rankin advised he read with interest the preliminary 2013 budget that Mr. Newlin presented to Council. Mr. Rankin noted he felt it was a bit gloomy with stagnant property tax receipts being predicted in 2013, reductions in state aid and the loss of estate tax distributions beginning on or after 2013. Mr. Rankin advised the revenues were very flat and it seemed Council was really going to have to go after expenditure items. Mr. Rankin noted if he were in Council's position he would especially scrutinize salaries and wages and personnel benefits. Mr. Rankin suggested perhaps it was time to eliminate longevity bonus pay. Mr. Rankin inquired if all employees could pay more toward pension and healthcare benefits and noted healthcare costs were being predicted to increase by 5 to 8 percent. Mr. Rankin advised he did not think it was the role of City government to fund not for profit charitable organizations with the exception of the Oxford Senior Citizens Center. Mr. Rankin wished Council well in the upcoming budget process noting it was going to be challenging.

Ms. Prue Dana, 6314 Fairfield Road, referred to the presentation made by Mr. Willeke and noted she felt it was a very exciting proposal for Oxford. Ms. Dana advised young adults had poured resources into the development of the Uptown and Stewart Square areas over the last 10-15 years. Ms. Dana noted creating a senior emphasis would give Oxford diversity in its population. Ms. Dana advised she was interested in transportation and housing and the Oxford League of Women Voters had a position on both issues.

Ms. Dana noted the League of Women Voters did a housing study about eight years ago which needed to be updated and the league would cooperate in that effort. Ms. Dana thanked Council for considering the proposal and noted she saw it as a very exciting venture.

CONSENT AGENDA

Mayor Keebler requested removal of item C. (Resolution) and item F. (Resolution).

MINUTES

Minutes of the June 14, 2012 City Council Strategic Planning Retreat. (Mary Ann Eaton, Clerk of Council)

Minutes of the June 19, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
NOISE ABATEMENT

A Resolution No. 4686 authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, September 7, 2012, from 8:00 p.m. to 12:00 a.m. on the patio at the Shriver Center on Miami's campus for the annual party on the patio sponsored by Miami Entertainment. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
CELL PHONE DONATION

A Resolution No. 4687 declaring 42 unclaimed cell phones not needed for any municipal purpose as surplus property and authorizing their donation to the 911 Cell Phone Bank. (Bob Holzworth, Police Chief)

Mr. Bogard moved to approve items A., B., D., and E. of the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

RESOLUTION
NOISE ABATEMENT

A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, August 17, 2012 from 8:00 p.m. to 12:00 a.m. at Yager Stadium for a Campus Activities Council sponsored concert. (Mary Ann Eaton, Clerk of Council)

Mayor Keebler advised it was brought to his attention that the noise abatement request should be for Saturday, August 18, 2012.

Ms. Rousmaniere moved to amend the request for Saturday, August 18, 2012. Mr. Blackburn seconded. The motion passed 5-0-0.

Mr. McKeehan inquired if the Welcome Back concert was always held at Yager Stadium.

Mayor Keebler advised it had been held in various places but usually on a Friday night.

Ms. Rousmaniere moved to adopt Resolution No. 4688 as amended. Mr. Blackburn seconded. The motion passed 5-0-0.

RESOLUTION
ONLINE AUCTION

A Resolution declaring a 1976 model American LaFrance Fire Engine as surplus City property no longer needed for any municipal purpose and authorizing its sale to the highest bidder utilizing Penton Equipment Auction Service of Seven Fields, PA. at no cost to the City. (John Detherage, Fire Chief)

Mayor Keebler advised he looked on the Penton Equipment Auction Service's website today and they had 2 fire trucks listed for sale in the entire United States. Mayor Keebler noted Gov Deals, Inc. had 24 and suggested the language be amended to read in part 'and authorizing its sale to the highest bidder utilizing an online auction service to be selected by the City Manager' and deleting the words 'at no cost to the City'. Mr. McHugh advised the statute in the Ohio Revised Code required municipalities to be specific in what they were doing. Mr. Elliott suggested adding the use of Gov Deals, Inc. along with Penton Equipment Auction Service and Mr. McHugh advised that would be fine.

Mr. Blackburn moved to amend all sections of the Resolution to read 'A Resolution declaring a 1976 model American LaFrance Fire Engine as surplus City property no longer needed for any municipal service and authorizing its sale to the highest bidder utilizing Penton Equipment Auction Service of Seven Fields, PA. *or Gov Deals, Inc.* ~~at no cost to the City.~~' Ms. Rousmaniere seconded. The motion passed 5-0-0.

Mr. Blackburn moved to adopt Resolution No. 4689 as amended. Ms. Rousmaniere seconded. The motion passed 5-0-0.

RESOLUTIONS

RESOLUTION
TAX UNIFORMITY

A Resolution No. 4690 declaring support for the Greater Dayton Mayors and Managers Association's proposal for municipal income tax uniformity. (Doug Elliott, City Manager)

Mr. Elliott advised the House Ways & Means Committee had been holding meetings regarding Ohio's Municipal Income Tax Code and the City was following the reform efforts very closely. Mr. Elliott noted the reform efforts were focused on centralized collection which they did not seem to be discussing right now and uniformity. Mr. Elliott noted the City received a copy from the Greater Dayton Mayors and Managers Association of recommendations they authored which were revenue neutral for the City of Oxford to consider. Mr. Elliott advised he and Mr. Newlin reviewed the recommendations and discussed them with the Regional Income Tax Agency and he and Mr. Newlin recommend that Council adopt the proposed Resolution which states that the City of Oxford supports the recommendations.

Mr. Elliott noted his hope that by working with other Mayors and Managers the proactive effort would result in a better chance of assuring that any state legislative changes would be revenue neutral. Mr. Elliott advised as he stated before with the loss of estate tax revenue and the reduction in local government funding the municipal income tax for the City was playing a much larger role in the General Fund revenue. Mr. Elliott noted staff understood the need for uniformity in the municipal income tax code and he recommended that Council adopt the proposed Resolution.

Mr. Bogard referred to the recommendations in Attachment "A" (pages 32-53 of the agenda) and inquired if the Greater Dayton Mayors and Managers missed any categories and Mr. Elliott advised he felt they were very complete. Mr. Bogard inquired if similar efforts were taking place in other parts of Ohio and Mr. Elliott advised various accounting groups and the Ohio Chamber were involved.

Mayor Keebler advised he read the recommendations and felt most of them were revenue neutral and most of them followed the City of Oxford's current practice except for dates. Mayor Keebler noted for companies that did business in multiple cities, income tax was an accounting nightmare and uniformity was needed. Mayor Keebler advised the proposed dates would follow the federal dates and he felt it was a good approach to come forward proactively.

Mr. McKeehan moved to adopt Resolution No. 4690. Mr. Blackburn seconded. The motion passed 5-0-0.

**RESOLUTION
CURB, GUTTER &
SIDEWALK ASSESSMENTS**

A Resolution No. 4691 determining the total cost of the assessment by lot, authorizing the list of assessments by lot to be filed with the Clerk of City Council and ordering the same be opened for public inspection and authorizing the Clerk of Council to publish notice in a newspaper of general circulation that the list of assessments by lot is available for public inspection. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in February Council passed a Resolution declaring the necessity for 36 parcel owners to improve curb, gutter, sidewalk or driveway aprons. Mr. Dreisbach noted since that time 24 parcel owners completed the work on their own leaving only 12 for the City to intervene on. Mr. Dreisbach advised the work was complete and the actual costs were shown on exhibit "A" (page 57 of the agenda). Mr. Dreisbach noted staff was asking Council's permission for the Clerk to publish the actual costs and once that time period was over the assessing Ordinance would come before Council to assess the costs to the parcel owner's taxes.

Mayor Keebler advised he was glad to see that so many parcel owners did the improvements on their own.

Ms. Rousmaniere moved to adopt Resolution No. 4691. Mr. McKeehan seconded. The motion passed 5-0-0.

ORDINANCE
FIRST READING

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit For A Fast Food Restaurant With A Drive-Through In The General Business District At 321 W. Spring Street With One Condition. (Jung-Han Chen, Community Development Director)

Mr. McKeehan recused himself from the discussion.

Mr. Chen advised this was a reuse of a former bank with a drive-through. Mr. Chen noted the applicant wished to open a soft serve ice-cream facility and only use one of the two drive-through lanes. Mr. Chen advised the applicant wished to place benches and tables throughout the site to encourage patrons to enjoy their purchase on site. Mr. Chen advised the Planning Commission wanted to see a substantial barrier placed in front of the 2nd drive-through lane to eliminate any vehicular and pedestrian conflicts and recommended it be made a condition of Council approving the conditional use permit. Mr. Chen noted the Planning Commission held a public hearing on this matter last Tuesday and voted 6-0-0 to recommend approval of the request with the one condition.

Mayor Keebler advised the request was discussed thoroughly at the Planning Commission meeting and a lot of things they suggested had already been done. Mayor Keebler noted a conditional use permit was granted previously when the facility was a bank. Mayor Keebler advised the second reading for this request would take place at the next meeting.

ORDINANCE
SECOND READING

ORDINANCE
CODE UPDATE

An Ordinance No. 3176 To Approve Current Replacement Pages To The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Mayor Keebler noted the Code Update was an administrative exercise and was adopted each year.

Ms. Rousmaniere moved to adopt Ordinance No. 3176. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Blackburn, Mr. Bogard, Mr. McKeehan, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised he enjoyed Mr. Willeke's presentation regarding 'Reducing Obstacles to Aging in Place in Oxford' and noted it was very informative and thoughtful. Mr. Elliott reminded everyone that retirement income was not subject to local income tax and noted the City should be careful not to attract tax exempt retirement communities. Mr. Elliott noted he felt Oxford had an advantage in attracting retirees due to the 'Miami Mergers'. Mr. Elliott noted he, Mr. Chen and Chief Holzworth met with the Director of the Butler County Regional Transit Authority (BCRTA) to discuss their proposed merger with Miami University Metro. Mr. Elliott advised the City saw the need for public transportation as there were a lot of individuals in Oxford without transportation. Mr. Elliott noted he was hopeful that proposal would be accepted and service could begin in 2014.

Mr. Elliott discussed the Ohio EPA's Annual Sewer and Water Rate Survey and noted the City of Oxford's annual sewer rate was 5.6% less than the statewide average and the annual water rate was 25.8% lower than the statewide average for 2010. Mr. Elliott advised the City had not raised water rates since 2009 and the sewer rate had not been raised since 1997.

Mr. Elliott advised a meeting was scheduled for July, 2012 with the Oxford Township Trustees to begin negotiations for a new Fire/EMS contract.

Mr. Dreisbach advised a lot of street improvements were taking place and should be complete by early next week.

Mr. Bogard congratulated Ms. Brahier and her staff for the outstanding July 4th activities which took place at the Community Park. Mr. Bogard noted he received many positive comments on the new venue.

Mr. Bogard thanked Duke Energy for their efforts in keeping Oxford cooler than some of the neighboring communities during the recent power outages. Mr. Elliott noted the installation of Smart Meters allowed Duke Energy to receive feedback from individual customers which helped them pinpoint problems with certain circuits.

Ms. Rousmaniere advised the Planning Commission heard a presentation last week regarding a bicycle and pedestrian plan developed by a Miami University Graduate student. Ms. Rousmaniere noted the proposal would expand internal transportation networks and link-up and coordinate with Miami's transportation proposals for bicycle and pedestrian plans. Ms. Rousmaniere advised in light of the Oxford Seniors presentation this evening she felt it was an interesting way to think about the community and how to improve the ways different kinds of people can move about the community in different kinds of ways. Ms. Rousmaniere noted the Planning Commission would discuss the proposal over the next few months and encouraged those interested to participate.

Ms. Rousmaniere noted 4 members of the community were involved in a 6 week online certificate program sponsored by the International Town Gown Association. Ms. Rousmaniere advised the participants were Bobbe Burke, Miami University, Monica Ways, Miami University, Jung-Han Chen, City of Oxford, and herself from the City of Oxford.

Ms. Rousmaniere noted the program was designed for the participants to learn about best practices in Town Gown relations, how to share resources; develop new resources and other collaborative activities. Ms. Rousmaniere thanked the City and Miami University for their support of this initiative.

Mr. Blackburn noted 5 of the 7 Council members were members of Oxford Seniors.

Mr. Blackburn referred to comments by Mr. Rankin earlier this evening regarding the City's finances and noted the City had been very conscientious in the budgeting process. Mr. Blackburn noted a lot of the issues raised by Mr. Rankin had already been addressed. Mr. Blackburn advised Mr. Elliott and Mr. Newlin ran a 'pretty tight ship" and thanked Mr. Rankin for his concern.

ADJOURN

Mr. Bogard moved to adjourn at 8:41 p.m. Mr. McKeehan seconded. The motion passed 5-0-0.