A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, July 19, 2011 at 7:30 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. Jung-Han Chen, Community Development Director; Mr. Joe Newlin, Finance Director; Ms. Donna Heck, Human Resources Director; Mr Steve McHugh, Law Director and Ms. Kim Newton, Assistant to the City Manager.

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

PROCLAMATION
'PHI DELTA THETA WEEK'

Mayor Keebler read the Proclamation and presented it to David Wyble.

Mr. David Wyble, advised he represented the Phi Delta Theta fraternity and thanked Council for the Proclamation. Mr. Wyble noted he attended the Emerging Leaders conference when he was an undergraduate at 18 years old and had been a member of the fraternity for six years where he currently worked. Mr. Wyble advised attending the conference changed his college experience and he loved the fact that the fraternity was able to bring 450 undergraduates to the conference each year.

Mr. Blackburn asked Mr. Wyble to point out to the fraternity members that the largest Porsche Show in the U.S. was being held in Oxford next weekend.

PUBLIC COMMENTS

None.

CONSENT AGENDA

MINUTES

Minutes of the June 21, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the July 5, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the July 6, 2011 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the July 6, 2011 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

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

RESOLUTIONS

RESOLUTION CONTRACT WITH CAPITOL ELECTRONICS

A Resolution No. 4615 authorizing the City Manager to enter into a contract with Capitol Electronics Inc. for the engineering, purchase, and installation of a compact automated license plate reader (ALPR) at state contract pricing not to exceed $49,839.00 in cost. (Steve Schwein, Police Chief)

Chief Schwein advised on April 7, 2009 a public hearing was held to discuss the use of automated license plate readers and Council adopted Resolution No. 4429 authorizing the City to apply for a grant to purchase the equipment. Chief Schwein noted the City received the grant in total and now staff was asking permission to purchase the equipment at state contract pricing and have it installed. Chief Schwein advised no matching funds were required and the funds were appropriated in the 2011 Law Enforcement Trust Fund. Chief Schwein noted this was an important piece of equipment which would tie into databases in Cincinnati and other areas of Southwest Ohio.

Mr. Bogard inquired how the technology worked. Chief Schwein advised the ALPR would read license plates and send them through the database and the Dispatch Center would be notified if any vehicle owned or operated by a wanted person was in the area. Chief Schwein noted examples of license plates in the database were of people who were on the terrorist watch list, registered sex offenders or people that had warrants out for their arrest.

Ms. Currie noted it was her understanding that the ALPR would be in a fixed location and would be very helpful with things such as Amber Alerts and Chief Schwein concurred.

Mr. McKeehan noted the technology had been beneficial for an incident that occurred at his place of business.

Mr. Rutherford inquired how far in the past information was stored on the database and Chief Schwein advised it depended on how much data an agency was willing to store.

Mayor Keebler advised the grant application for the equipment was approved by Council previously and noted a public hearing was held and the rationale for having the equipment was discussed.

Mr. Rutherford inquired if the City was storing the data and Chief Schwein advised yes. Mr. Elliott noted a record retention schedule would need to be established. Mr. Rutherford inquired how long the data was presently kept in the database and Chief Schwein noted he wasn't sure. Mr. Rutherford noted the City had this technology in place now without a record retention policy. Mr. McHugh advised Ms. Gabbard was working on updating the records retention schedules for the Police Department. Mr. Rutherford inquired how many ALPR units the Police Department would like to have and Chief Schwein noted if it was up to him he would like to have one at every major entrance to and exit from the City. Chief Schwein advised if the City didn't receive any more grant money there would be no more of the units purchased. Mr. Rutherford noted this was a record of movement for every citizen and Council should consider the purchase of the ALPR very seriously. Mr. Rutherford advised Chief Schwein had the obligation to serve and protect the citizens and part of that was protecting the civil liberties of every citizen as guaranteed by the constitution. Mr. Rutherford noted he felt that the ALPR technology without proper record retention policies left a lot of room for abuse.

Mr. Bogard called the question.

Mr. McKeehan moved to adopt Resolution No. 4615. Ms. Currie seconded. The motion passed 6-1-0 with Mr. Rutherford voting nay.

RESOLUTION
CONTRACT WITH
RE/MAX ALPHA COMMERCIAL GROUP

A Resolution No. 4616 authorizing the City Manager to extend the current contract with RE/Max Alpha Commercial Group to list for sale and market the City owned real estate at 4293 Oxford Reily Road for a period of twelve (12) months ending July 15, 2012. (Alan Kyger, Economic Development Director)

Mr. Elliott noted last July Council passed a Resolution authorizing the City Manager to enter into a 12 month contract with RE/Max Alpha Commercial Group to list for sale and market 47.5 acres of land owned by the City on Oxford Reily Road and Brookville Road. Mr. Elliott noted the current listing contract would expire in July and staff was recommending that the current contract with RE/Max Alpha Commercial Group be extended for another 12 months.

Mr. Rutherford inquired how much activity took place with regard to the real estate listing. Mr. Elliott noted not much activity had taken place with the economy being very slow as far as residential building. Mr. Elliott noted it was a very attractive piece of land but it may take several years to sell.

Ms. Currie moved to adopt Resolution No. 4616. Mr. Blackburn seconded the motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on pages 32-34 of the agenda. Mr. Newlin noted this was the second supplemental budget of the year which would clean up issues that surfaced since the beginning of the fiscal year.

Mr. Rutherford thanked Miami parents for donating $3,500 to assist with the smoke detector project.

Mr. Rutherford inquired if it was legal to require a deposit when someone signed up for City utilities. Mr. Newlin noted a lot of cities required a deposit and it would be up to Council to enact such a policy. Mr. Rutherford inquired if there were legal limits for deposits under the Ohio Revised Code. Mr. McHugh advised yes, and there was also case law. Mr. Rutherford inquired if it would behoove the City to require a utility deposit so it wouldn't be a total loss if someone left town without paying their bill. Mayor Keebler noted there was also an expense to return deposits.

ORDINANCES
SECOND READING

ORDINANCE
NEW SECTION 931.02

An Ordinance No. 3154 Repealing Oxford Codified Ordinance Section 931.02, Entitled Container Requirements, And Adopting New Oxford Codified Ordinance Section 931.02, Entitled Container Requirements And Declaring An Emergency. (Mike Dreisbach, Service Director)

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

Mayor Keebler advised the proposed Ordinance was thoroughly discussed at the last meeting.

Ms. Currie moved to adopt Ordinance No. 3154 as an emergency. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
REPEALING ORDINANCE NO. 3133
AND ADOPTING A NEW SALARY ORDINANCE

An Ordinance No. 3155 Repealing Ordinance No. 3133 And Adopting A New Ordinance Amending Section 3 Of The Salary Ordinance. Part-Time Positions Increasing Certain Pay Bands On Attachment "A" Of Ordinance No. 3133 By Two Percent (2%) And Adding The Position Of Senior Program Coordinator. (Donna Heck, Human Resources Director)

Ms. Heck offered to answer any questions.

Mayor Keebler advised the revisions to the Salary Ordinance would correct some oversights and increase the pay bands to reflect the recent 2% pay increase. Mayor Keebler noted the Salary Ordinance would be more thoroughly discussed during a Budget Work Session.

Mr. McKeehan moved to adopt Ordinance No. 3155. Mr. Blackburn seconded. The Ordinance was adopted 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)

DISCUSSION

Expansion of "No Parking 4:00 a.m. to 5:30 a.m." Zone.

Mayor Keebler advised this topic was discussed at a previous meeting and there was concern as to whether it should include all metered spaces or be limited to a more restricted area.

Mr. Bob Holzworth, Assistant to the Chief – Parking/Transportation, noted he was delighted to be back before Council. Mr. Holzworth advised at the April 19, 2011 Council Meeting this matter was referred to the Oxford Parking and Transportation Advisory Board (OPTAB) for further study. Mr. Holzworth noted the OPTAB conducted parking surveys on 6 nights for 3 consecutive weekends and those results were in the report to Council. Mr. Holzworth advised the OPTAB was asked to more clearly define the area of recommended expansion and after reevaluation they decided including all 794 metered spaces was not necessary.

Mr. Holzworth noted the OPTAB recommended that the area between College and Campus and Walnut and Church Streets be included and all other meters be excluded from the expanded prohibition for parking at metered spaces between the hours of 4:00 a.m. to 5:30 a.m. Mr. Holzworth noted the OPTAB felt this was the logical next step. Mr. Holzworth advised the OPTAB also outlined a series of steps to communicate with the public regarding the expanded parking prohibition should it be approved by Council.

Mayor Keebler noted his original suggestion to include all meters was to make the prohibition simpler. Mayor Keebler advised he believed the report to Council from Mr. Holzworth was valid and he was willing to accept the recommendation of the OPTAB.

Ms. Currie noted she felt comfortable with the proposal, that it made good sense and the area defined for the prohibition was clear.

Mr. Bogard advised he appreciated the OPTAB doing the initial work and noted he raised concerns back in April. Mr. Bogard advised he was pleased to see that S. Campus was open to overnight parking since the survey showed some usage of overnight parking in the area.

Mr. Harman thanked Mr. Holzworth for the report. Mr. Harman inquired if there would be new signage on the affected meters and Mr. Holzworth advised yes.

Mr. Elliott noted he would work with Ms. Burke to get information regarding the matter out to the students.

Mayor Keebler requested legislation to initiate the expanded parking prohibition.

ANNOUNCEMENTS

Mr. Elliott advised he, Chief Detherage and Mr. Bogard met with officials from Milford Township last week to discuss the new contract for the provision of EMS services beginning next year. Mr. Elliott noted the township presently paid the City of Oxford $6,200 per year and his goal was to increase the amount they paid the City. Mr. Elliott advised the township officials would like to wait on setting a new price until their replacement fire levy was voted on in November.

Mr. Elliott advised he had conversations with the City's gas regulatory attorney regarding Glenwood Energy's new fee of $130.00 for reconnection which included a pipeline pressure test as a result of a pipeline safety audit by the PUCO. Mr. Elliott noted his position was that the fee was not authorized by the Gas Rate Ordinance which Council adopted in April of 2011. Mr. Elliott advised he wanted to be certain that Council concurred with his position and he would notify Glenwood Energy in writing that they were not authorized at this time to charge that fee. Mr. Elliott noted he looked for Glenwood Energy to refund a portion of fees that had already been paid less the $50.00 reconnection fee that was incorporated in the Gas Rate Ordinance. Mr. Elliott advised he would recommend amending the Ordinance to include the new fee for the pressure test but also give property owners time to decide whether or not to disconnect service. Mr. Elliott advised the cost for leaving service on was $7.00 per month.

Mayor Keebler advised Council would need to incorporate the fee into the Gas Rate Ordinance as soon as it was reasonable to do so and property owners were notified what their choices were.

Mr. Elliott noted Glenwood Energy officials met with the PUCO to seek a temporary waiver of the pressure test and had been un-successful. Mr. Elliott encouraged property owners to schedule gas reconnection early because of the pressure test that would have to be performed.

Mr. Rutherford inquired which line was being tested and Mr. Elliott advised the line from the meter to the residence.

Mr. Elliott updated Council with regard to the expansion of the City's Deer Management Program and new incentives for the hunters. Mr. Elliott noted this was the third year for the program.

Mr. Chen advised the Historic and Architectural Preservation reference manual had been updated recently with the assistance of a Miami student and asked Council to let him know if they wanted a copy.

Mr. Chen noted off street parking issues had been addressed over the last year and he received a lot of positive response from property owners and tenants and noted his hope to get some resolution to the issues before the students returned this fall.

Mr. McHugh referred to the parking issue discussed this evening and advised Section 353.03(a) of the Oxford Codified Ordinances would allow a Resolution to initiate the expansion of the no overnight parking zone rather than an Ordinance.

Mr. Bogard advised Oxford Parks and Recreation would host the Southwest Ohio Swim Championship July 20-21.

Mr. Bogard extended a Happy Birthday from Council to Lucy Eubank who celebrated her 105th birthday on July 9th.

Mr. Rutherford inquired if anything had changed with the City's domestic water treatment noting he was curious about a slight sulfur odor. Mr. Dreisbach advised there had been no changes and urged Mr. Rutherford to call his office if he had a water quality issue and it would be investigated right away.

Mr. Rutherford advised the quality of the work done on High Street with regard to brick replacement was great. Mr. Rutherford noted some brick work was done at Tallawanda and High Street and the road was failing at the intersection. Mr. Dreisbach advised that was a joint project between Miami University and the City and Miami's consultant provided the plans and specifications and the City performed the work. Mr. Dreisbach advised discussions with Miami were ongoing to try to remedy the problem.

Mr. Rutherford inquired where the expansion of the Deer Management Program would be and Mr. Elliott advised on Robin Court.

Mr. Rutherford advised he made the difficult decision not to seek reelection to City Council. Mr. Rutherford encouraged citizens of Oxford to step up and get petitions filed. Mr. McHugh advised petitions needed to be filed with the Butler County Board of Elections by 4:00 p.m. on August 10, 2011.

Mr. McKeehan encouraged citizens to run for Council noting there would be three vacancies and only two people had taken out petitions.

Mr. McKeehan noted he was glad to see the expansion of the Deer Management Program.

Mr. McKeehan encouraged everyone to attend the Porsche Show in Oxford July 29th and 30th.

Mr. Blackburn thanked Mr. Elliott for working with Glenwood Energy to resolve the issue with the pressure test noting he felt this was a win all around for the property owners and the students.

Mr. Harman advised Council received an economic impact report from Ms. Durr of the Visitors and Convention Bureau every quarter which showed the economic impact of events and activities in Oxford. Mr. Harman noted he was pleased to report the events and activities over the last quarter generated over $3,000,000. Mr. Harman noted Alumni Weekend brought in over $314,000.

Ms. Currie encouraged citizens to consider running for City Council noting she would like to see a hearty competition with regard to serving the community. Ms. Currie advised a 'Letter to the Editor' was one of the things that encouraged her to run for Council and suggested maybe some Council members could submit a letter to the Oxford Press.

ADJOURN

Ms. Currie moved to adjourn at 8:43 p.m. Mr. Blackburn seconded. The motion passed 7-0-0.