A regular meeting of the Oxford City Council was called to order by Mayor Mike Smith at 6:30 p.m. on Tuesday, July 6, 2021. Members present: Glenn Ellerbe, David Prytherch, Chantel Raghu, William Snavely and Edna Southard. Jason Bracken arrived late.

Staff members present: Doug Elliott, City Manager, Mike Dreisbach, Service Director, Joe Newlin, Finance Director, Geoff Robinson, Police Lieutenant, John Detherage, Fire Chief, Sam Perry, Community Development Director, Chris Conard, Law Director and Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Snavely moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1), (3) and (4) for the purpose of discussing Appointments to Boards and Commissions, pending court action and Collective Bargaining matters. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Mr. Snavely, Ms. Southard, Mr. Ellerbe, Mayor Smith (6)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Ms. Southard moved to adjourn from Executive Session at 7:25 p.m. Mr. Snavely seconded. The motion passed (7)

APPROVAL OF AGENDA

Ms. Southard moved to amend the agenda to add item 5.4. A Resolution regarding the Purdue Pharma bankruptcy. Mr. Snavely seconded. The motion passed 7-0-0.

Mr. Snavely moved to approve the agenda as amended. Ms. Southard seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS & COMMISSIONS

Mr. Snavely moved to appoint Roger Ames, Kate Rousmaniere and Calvin Conrad to the Board of Zoning Appeals for a term ending June 30, 2024. Mr. Prytherch moved to reappoint Mr. Snavely as Council's representative on the Planning Commission. The motions passed 7-0-0.

PUBLIC HEARING – 2022 TAX BUDGET

Mr. Snavely moved to open the Public Hearing for the 2022 Tax Budget at 7:32 p.m. Mr. Ellerbe seconded. The motion passed 7-0-0.

Mr. Newlin advised the annual Tax Budget would be submitted for the coming year to the Butler County Tax Commission, in accordance with requirements stipulated by the Ohio Revised Code. Mr. Newlin noted approval by the legislative body is required by July 15th and it is due to the County by July 20th. Mr. Newlin outlined the 2022 Tax Budget as it pertains to the General Fund as presented on pages 69-82 of Council's packet and offered to answer any questions.

Mr. Prytherch moved to close the Public Hearing for the 2022 Tax Budget at 7:38 p.m. Mr. Snavely seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

Minutes of the June 15, 2021 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Report regarding the June 23, 2021 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

A Resolution No. 7312 authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (John Jones, Police Chief)

A Resolution No. 7313 declaring certain property in the City's possession no longer needed for any municipal purpose and authorizing its disposal or trade to a federally licensed firearms dealer. (John Jones, Police Chief)

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

RESOLUTIONS

RESOLUTION
FREEDOM SUMMER MURAL

A Resolution No. 7314 authorizing the installation of the Freedom Summer Mural on the eastern wall of the Municipal Building. (Doug Elliott, City Manager)

Mr. Elliott advised after careful consideration staff recommends the Freedom Summer Mural be placed on the eastern side of the Municipal Building. Mr. Elliott noted the artist Ms. Ella Cope was in attendance this evening.

Ms. Ella Cope, thanked Council for making the choice to preserve this piece of public art commemorating Oxford's history and making it accessible to everyone.

Mr. Prytherch thanked Ms. Cope and noted the Public Arts Commission of Oxford endorsed the mural being installed on the Municipal Building.

Ms. Southard moved to adopt Resolution No. 7314. Mr. Snavely seconded. The motion passed 7-0-0.

RESOLUTION
DE-ICING MATERIALS

A Resolution No. 7315 authorizing the purchase of road de-icing materials through a cooperative agreement with Butler County Engineer's Office. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on pages 21-22 of Council's packet. Mr. Dreisbach recommended Council accept the proposal to piggyback onto Butler County's procurement bid for road de-icing salt. Mr. Dreisbach offered to answer any questions.

There were no comments from the public.

Ms. Raghu noted when she lived in Wisconsin they used gravel on the roads instead of salt and inquired what the pros and cons were regarding the use of salt verses gravel. Mr. Dreisbach noted staff tries to use the minimum amount of salt to accomplish safe roadways. Mr. Dreisbach advised sand, cinders and gravel collect in the storm water system and causes drainage and other problems.

Mr. Snavely moved to adopt Resolution No. 7315. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION
AMENDED AGREEMENT (STRAND ASSOCIATES)

A Resolution No. 7316 accepting the proposed amendment and authorizing the City Manager to amend the existing agreement with Strand Associates, Inc. for evaluating the procurement and transportation of potable water from the City of Hamilton. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted at the last meeting Council spent a significant amount of time on the subject of water softening alternatives. Mr. Dreisbach noted staff recommends City Council authorize a feasibility study to procure and transport potable water from the City of Hamilton as a fifth option for water softening improvements. Mr. Dreisbach discussed the Draft Scope of Services from Strand Associates, Inc., which is detailed, on pages 27-28 of Council's packet.

Mr. Dreisbach noted once the feasibility study was complete staff would come back to Council with a detailed recommendation.

There were no comments from the public.

Mr. Prytherch noted water softening would be one of the largest City investments in infrastructure and we had to get it right. Mr. Prytherch noted he felt it was worth the $25,000 to have the feasibility study performed.

Ms. Raghu advised she appreciated staff's foresight into looking forward at the risk of drought and the possibility of having access to more water.

Mr. Snavely moved to adopt Resolution No. 7316. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION
PURDUE PHARMA BANKRUPTCY

A Resolution No. 7317 authorizing recommendation to accept the Fifth Amended Joint Chapter 11 Plan of Reorganization of Purdue Pharma L.P. in the United States Bankruptcy Court for the Southern District of New York Case No. 19-23649. (Chris Conard, Law Director)

Mr. Conard noted there was a significant development last week in the Purdue Pharma bankruptcy case with a quick deadline to respond to before Council's next regularly scheduled meeting in July. Mr. Conard advised the settlement document was 600 pages, the ballot to approve it was another 28 pages and Mr. Mazer did a great job of tracking the case working with the Creditor's Rights group and providing a summary for City Council. Mr. Conard noted $4.5 billion dollars will be used to create an abatement fund with a mission to stop the opioid crisis. Mr. Conard advised under Section 1126(c) of the Bankruptcy Code, an entire class of claims is deemed to accept a plan if a plan is accepted by creditors that hold at least two-thirds the amount and more than one-half in number of the allowed claims in the class. Mr. Conard noted the plan is the product of a six-month Mediation and twenty months of bankruptcy court proceedings focused on promoting agreement between the numerous public and private claimants. Mr. Conard advised without such an agreed resolution, creditors will inevitably compete against one another for value in costly and time-consuming litigation of all against all. Mr. Conard noted the Plan offers certainty and a timely resolution to the Opioid Litigation so that public agencies may begin receiving funds from Purdue Pharma, LLC for local opioid abatement programs.

There were no comments from the public.

Ms. Raghu noted her support for the Resolution noting her hope any funds received can be put towards helping people with addiction issues.

ORDINANCE
FIRST READING
CONDITIONAL USE

An Ordinance Accepting The Recommendation Of The Planning Commission And Approving A Conditional Use Permit Application To Allow A Single Level Hotel Use Within A New Four Story Building And Granting The Requested Additional 1,250 Square Feet Of Floor Area In The UP (Uptown) District To Be Located At 22 South Beech Street with One Condition. (Sam Perry, Community Development Director)

Mr. Perry addressed his staff report as presented on pages 29-30 of Council's packet noting Architect Scott Webb is requesting a Conditional Use approval for a proposed 4 story mixed use building located at 22 S. Beech Street. Mr. Perry noted the nature of the request is essentially a repeat of what was previously considered by the Planning Commission and approved by Council in 2018. Mr. Perry advised the project became stalled due to the pandemic and the COA and Conditional Use deadlines lapsed necessitating new approvals in order to move forward. Mr. Perry noted the HAPC granted a new COA (Certificate of Appropriateness) to the applicant in May of 2021.

Mr. Scott Webb, Architect, provided a PowerPoint with renderings of the proposed mixed use building which includes 12 hotel rooms on the first floor with a below grade 12 space parking garage serving the use, 11 residential units located on the second, third and fourth floors as well as commercial restaurant space on the fourth floor. Mr. Webb noted the hotel will be considered an "annex" to the Elms Hotel whereby guests will check-in at the main hotel and then be permitted to drive and park beneath the new building and access their room via an elevator. Mr. Webb discussed the condition recommended by the Planning Commission, which requires parking space #1 to be designated a "compact" space. Mr. Webb noted commercial space was also made available on the 4th floor to install a dumbwaiter. Mr. Webb addressed each of the items listed as potential concerns for Motels as itemized in Section 1147.03 of the Zoning Code and the Decision Standards outlined in the conditional use application.

There were no comments from the public.

Mr. Bracken inquired when the applicant expected to break ground and when the project might be complete. Mr. Webb advised they wanted to begin the project as soon as possible noting it would take approximately a year to complete it.

Ms. Southard inquired if making parking space #1 a compact space would solve the safety concerns with respect to maneuverability and the safety concerns of the police and fire departments and Mr. Webb advised yes.

Mr. Ellerbe noted he appreciated that Mr. Webb addressed an issue he saw from the first presentation which was additional space for a dumbwaiter to make sure the rooftop commercial space was successful.

Mr. Prytherch noted he appreciated the applicant's forbearance through the pandemic and going through the review process more than once. Mr. Prytherch advised he supported the infill redevelopment and noted his hope the restaurant would be successful.

Mayor Smith advised Council would consider the proposed Ordinance again in two weeks.

ORDINANCE
SECOND READING
2022 TAX BUDGET

An Ordinance No. 3624 Authorizing The Tax Budget For The Year 2022 And Directing That The Same Be Transmitted To The Butler County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing new to add since the Public Hearing earlier this evening.

There were no comments from the public.

Mr. Snavely moved to adopt Ordinance No. 3624. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Snavely, Ms. Southard
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott briefly addressed the City's 2022 budgeting process.

Mr. Elliott noted the City received five responses to the Request for Proposals for the Solar Energy Array Development Project on the Closed Sanitary Landfill. Mr. Elliott advised he and staff would review the proposals over the next 3-4 weeks noting the proposals would be evaluated based on price, project narrative, developer and project team experience, technical aspects and other relevant factors. Mr. Elliott advised once the proposals have been evaluated he anticipated meeting with the top one or two firms to further discuss their proposals.

Mr. Elliott provided an update on the American Rescue Plan funding and noted the City originally expected to receive $4.5 million, which was before townships were taken into consideration and now the estimated funding was approximately $2.4 million.

Mr. Elliott advised a Work Session would be scheduled for 6:30 p.m. on July 20 to review Council's 2021 goals and objectives and receive Council's input the 2022 budget.

Ms. Raghu advised the General Assembly is giving County Commissioners the ability to restrict development of large-scale wind and solar farms and inquired it that applied to the City's project.

Mr. Elliott advised he did not believe so because the City owns the land although he would review it.

Ms. Raghu referred to the proposed tax cuts for state taxes noting it was 3% across the board although if people make over $221,000 it was 17%.

Mr. Snavely congratulated Enjoy Oxford on reviving the Oxford Music Festival noting he felt they did a great job getting it started. Mr. Snavely encouraged everyone to support the community by attending.

Mr. Snavely reminded everyone the pandemic was still an issue and encouraged anyone who has not been vaccinated to do so if they are able.

Mr. Snavely noted he was excited about the solar project and the fact that the City received 5 proposals. Mr. Snavely advised he felt it was something this Council can take a lot of pride in. Mr. Snavely congratulated staff for making it happen.

Ms. Southard advised the July 3rd Festival hosted by the City at the Oxford Community Park was a great success.

Ms. Southard noted on June 20-22 the National Civil Rights Conference occurred at Miami University, which was also a great success. Ms. Southard advised the memorial in the Uptown Park commemorating the two known lynchings that occurred in Oxford is there for everyone to see and advised it was dedicated on June 21, 2021.

Ms. Southard advised Oxford was lovely in the summer with the Uptown Parks, the Splash Park, the Aquatic Center and all the great things we have in Oxford that we can be proud of.

Mr. Bracken encouraged everyone to get vaccinated.

Mr. Bracken advised he was very excited about the solar project.

Mr. Prytherch advised Miami University was also working on solar projects and noted he felt the City challenged the university in those efforts.

Mr. Prytherch advised he was excited about the construction going on Uptown although he was discouraged about the sidewalk closures. Mr. Prytherch noted he would like to find a way to maintain passage for pedestrians during construction projects.

Mayor Smith congratulated the Parks and Recreation Department for hosting a great event on July 3rd, the Police Division for directing traffic and the Fire Department for assisting with the fireworks.

Mayor Smith reminded everyone the Music Fest was back on Thursdays noting the Miami Steel Band would play this week. Mayor Smith reminded everyone of the Red Brick Friday event on July 9th.

ADJOURN

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