A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, August 2, 2011 at 7:00 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. Gail Brahier, Parks and Recreation Director; Mr Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(4) for the purpose of discussing collective bargaining strategies. Mr. Blackburn 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. Ms. Currie seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Keebler called for a motion to amend the agenda to add a third Resolution authorizing the establishment of an escrow account for the previously approved CIC loan to Seaview Outfitters.

Mr. Bogard moved to add a third Resolution to page 3 of the agenda. Mr. Rutherford seconded. The motion passed 7-0-0.

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

PUBLIC PARTICIPATION

PROCLAMATION
'OXFORD SWIM AND DIVE TEAM'

Mayor Keebler read the Proclamation and presented it to Mr. Mike Crowder.

Mr. Crowder asked the Head Swimming Coach to say a few words.

Mr. Steve Pasquale, thanked Council for recognizing the Swim Team and noted winning the championship was a great accomplishment. Mr. Pasquale noted there were 120 kids on the team and it was great to see such enthusiasm for the sport of swimming and for the Oxford team. Mr. Pasquale advised there were a lot of young swimmers on the team and noted his hope they would stick with swimming so the team would be successful for several years to come.

NOTICE TO LEGISLATIVE AUTHORITY

New permit for Dolgen Midwest LLC DBA Dollar General Store 1241 5055 College Corner Pike Oxford, Ohio 45056.

Chief Schwein noted the Corporate Headquarters for Dollar General Stores were applying for liquor permits for about half of their stores nationwide. Chief Schwein advised the Oxford Police Department would train Dollar General Store's employees since they had no experience with selling alcohol.

Ms. Currie noted Council was just a pass-through agency with regard to the permit and unless Council could show sufficient legal grounds why the permit should not be issued it would be issued. Chief Schwein advised by the time Council received the Notice to Legislative Authority the Liquor Commission would have already sent an agent to the area to speak to the manager and to to see how close schools and churches were to the proposed location for the liquor permit. Chief Schwein noted if Council had objections to a permit being issued they could request a hearing. Chief Schwein advised he knew of only one hearing ever being requested. Mr. McHugh advised legislation would need to be adopted to request a hearing based on evidence of complaints, problems with the location or a history of problems with a certain business.

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

PUBLIC COMMENTS

Ms. Prue Dana, 6314 Fairfield Road, noted the community benefited from the Swim Team and it was a real asset to the children and families and had been for forty years. Ms. Dana advised the pool was also forty years old and noted a feasibility study had been performed in 2006 regarding a new aquatic center. Ms. Dana encouraged Council to keep the proposal for an aquatic center in the budget line noting she and Mr. Bogard were hoping to move the project forward in 2006 but financial circumstances had pushed it back further and further. Ms. Dana congratulated the Oxford swim team for their 2011 accomplishments and noted her hope the young swimmers could be assisted by having a new aquatic center to make their future even better.

Ms. Bobbe Burke, 722 David Drive, advised two weeks ago a group of people from the Student Affairs Division at Miami and 4 people from the Oxford Police Department traveled to Champaign-Urbana to meet with their counterparts who dealt with alcohol issues at the University Of Illinois. Ms. Burke noted this was a very positive opportunity to learn what was happening at another campus first hand.

Ms. Burke advised there were 40,000 students at the University of Illinois and 30,000 were undergraduates and it was not surprising that their alcohol problems were very much like the ones in Oxford. Ms. Burke noted she felt more opportunities to discuss what was working or what other challenges university communities faced provided more chances to achieve positive results. Ms. Burke advised she was pleased that members of the OPD were able to participate in the discussion.

Ms. Burke advised things were up and running for the start of the new school year and noted several new international students had just arrived in town. Ms. Burke encouraged everyone to offer them assistance if they could. Ms. Burke noted the RAs would arrive on Friday, move into the residence halls and begin their training.

Ms. Burke reminded Council that the 'Walk-About' house visit project would take place on August 21st and 22nd and encouraged Council members to part of one of the teams. Ms. Burke noted she would bring the informational packet that would be distributed to the students to the next Council meeting so Council could see what was being included. Ms. Burke advised tornado safety was a high priority this year and noted the packet would include a brochure on tornado safety and she was asking property owners and landlords to discuss tornado safety with their tenants and advise them where they needed to go in the event of a tornado.

Mr. Coe Potter, 5108 Bonham Road, noted he was present on behalf of Oxford Township. Mr. Potter advised he and the other Oxford Township Trustees would like to invite City Council, City staff and the public to the Bicentennial celebration for the township on Sunday, August 7, 2011. Mr. Potter advised the township was founded on August 5, 1811. Mr. Potter noted an antique carriage parade would begin in the township and convene in the Uptown Park at 2:00 and at 3:00 the celebration would take place at Hueston Woods Pioneer Farm with live music and the Township House would be open with historic photos and informational documents on display. Mr. Potter noted there would also be dancers, activities for children and the children could tour the township's new rescue vehicle they received from the federal government at no cost. Mr. Potter advised free food would be available and the entire event was compliments of grants and local sponsors with no cost to the taxpayers. Mr. Potter noted his hope everyone would plan to attend the celebration.

Ms. Kathleen Zien, 6060 Joseph Drive, noted it was disappointing that Council reversed the appointment of Bob Benson to the Planning Commission. Ms. Zien noted her hope the appointment would soon be reinstated to a citizen who volunteered, was articulate and was next in line on the short-list for appointments to the Planning Commission. Ms. Zien advised Council always requested applications for Boards and Commissions noting it was an open ended invitation and Mr. Benson applied over a year ago. Ms. Zien advised in the July HAPC minutes Mr. Harman shared Council's concern with adding term limits to Boards and Commissions as it would complicate efforts to recruit citizens. Ms. Zien noted perhaps it was time to eliminate some groups and instead have qualified professionals that were competent and legally trained to make administrative decisions. Ms. Zien noted in the case of the BZA they are all lay citizens yet make legal decisions without any member having a legal background. Ms. Zien advised one BZA member had served for 13 years and as Chair for 11 of those years. Ms. Zien asked Council to rethink the benefits, values and disadvantages of Council appointments and noted Mr. Rutherford had said a changing of the guard applied to all Boards and Commissions.

Ms. Zien advised despite Council passing a waste wheeler requirement for multi-tenant rental properties to off-set trash overflow, rodents and provide a cleaner Oxford between pick-ups, Rumpke didn't always fulfill their contract for removal. Ms. Zien detailed a problem she had with Rumpke picking up her garbage and recycling on July 6, 2011 and noted this was her firsthand experience but probably not an isolated occurrence in Oxford.

Mayor Keebler advised complaints regarding trash/recycling pickup were taken by the City on a daily basis and noted his hope citizens would report concerns to the City immediately so proper actions could be taken to alleviate the problem.

CONSENT AGENDA

Ms. Currie requested removal of item D. (A Resolution)

MINUTES

Minutes of the July 19, 2011 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the July 12, 2011 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the July 27, 2011 Civil Service Commission Meeting. 9Donna Heck, Human Resources Director)

RESOLUTION
DISPOSING OF CONTRABAND

A Resolution No. 4617 authorizing the Police Chief and Finance Director to dispose of contraband no longer needed as evidence. (Steve Schwein, Police Chief)

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

RESOLUTION
CONTRACT WITH
PITNEY BOWES

A Resolution No. 4618 authorizing the City Manager to enter into an agreement with Pitney Bowes for a 60-month lease for postage equipment through state contract pricing. (Kim Newton, Assistant to the City Manager)

Ms. Currie requested an explanation for choosing Pitney Bowes over the lower bidder.

Mr. McHugh advised the lower bidder submitted a contract that included provisions that were not appropriate for the City such as paying their attorney fees in the event of a dispute, holding them harmless and paying interest if the City made a late payment.

Mr. McHugh advised Pitney Bowes was the current provider of postage equipment and were willing to work with the City to draft an appropriate contract. Mr. McHugh noted the cost was $36.00 more per month to lease the postage equipment through Pitney Bowes.

Ms. Currie moved to adopt Resolution No. 4618. Mr. Harman seconded. The motion passed 7-0-0.

RESOLUTIONS

**RESOLUTION
EXTENDING THE MORATORIUM
ON SWEEPSTAKES/INTERNET CAFES**

A Resolution No. 4619 by the Oxford City Council extending the moratorium for a period of six (6) months (180 days) on the granting of any permits allowing the operation of sweepstakes/internet cafes within the City of Oxford. (Steve McHugh, Law Director)

Mr. McHugh advised the State of Ohio indicated it wanted to regulate sweepstake/internet cafes but had not done so. Mr. McHugh noted he would bring forth regulations for Council to consider before the moratorium ended if the State did not set the regulations first.

Mr. McKeehan moved to adopt Resolution No. 4619. Mr. Blackburn seconded. The motion passed 7-0-0.

**RESOLUTION
EXPANSION OF THE
'NO OVERNIGHT PARKING' ZONE**

A Resolution No. 4620 authorizing the City Manager and Director of Safety to implement no overnight parking at parking meters within the area bounded by the west side of College Avenue, the south side of Walnut Street, the east side of Campus Avenue, and the north side of Church Street from 4:00 a.m. to 5:30 a.m. pursuant to section 353.03(a) of the Oxford Codified Ordinances. (Steve Schwein, Police Chief)

Chief Schwein advised he had nothing new to add since the previous discussions on the matter took place. Chief Schwein noted the Police Department and the Oxford Parking and Transportation Advisory Board felt expanding the 'No Overnight Parking' Zone was a good suggestion that originated from members of Council.

Mr. Blackburn noted there were management companies and real estate offices located within the proposed area and the business owners were concerned about getting a parking ticket if they had to go to their offices between 4:00 and 5:30 a.m.

Mr. Bogard noted during the 2-4 week fall adjustment period, warnings would be issued for the 1st violation in the new block faces.

Ms. Currie moved to adopt Resolution No. 4620. Mr. Rutherford seconded. The motion passed 7-0-0.

RESOLUTION
ESCROW ACCOUNT
SEAVIEW OUTFITTERS

A Resolution No. 4621 authorizing the City Manager to open a joint escrow account with Mr. Gerald M. Miller to secure the revolving loan fund loan for Seaview Outfitters LLC. (Alan Kyger, Economic Development Director)

Mr. McKeehan recused himself from the discussion and vote.

Mr. Kyger thanked Council for adding the proposed Resolution to the agenda this evening. Mr. Kyger noted the owners of Seaview Outfitters had everything in place to satisfy the conditions of the Revolving Loan Fund loan except for setting up the escrow account. Mr. Kyger advised it had been more of a challenge than he expected to get the escrow account established and noted some banks no longer opened joint accounts. Mr. Kyger noted currently he was working with Miami Savings Bank to establish the escrow account.

Mr. McHugh noted originally a third party escrow agent was going to be utilized but it was not cost effective and noted Mr. Kyger came up with a very good solution.

Mr. Blackburn moved to adopt Resolution No. 4621. Ms. Currie seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3156 Amending Ordinance No. 3130. Supplemental Budget Ordinance Number 2 To Make Supplemental Appropriations For Fiscal Year 2011. (Joe Newlin, Finance Director)

Mr. Newlin advised there were no changes to the proposed Supplemental Budget since the first reading. Mr. Newlin noted the Ordinance would enable staff to get a lot of things going in the City.

Mr. Bogard moved to adopt Ordinance No. 3156. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott referred to Ms. Zien's complaint about trash/recycling pick-up and encouraged citizens to call the City as soon as possible if they had an issue with Rumpke so measures could be taken to rectify the problem.

Mr. Elliott advised he had met with Ms. Dana and Mr. Bogard several times to discuss a new aquatic center for the City. Mr. Elliott noted staff continued to keep a placeholder in the CIP for the project noting it was an exciting one. Mr. Elliott advised he felt there would be enough revenue to pay for the operating cost of a new aquatic center but the debt service was the difficult issue for the City. Mr. Elliott noted his hope the project could be accomplished in the not too distant future.

Mr. Elliott advised the City Council CIP Work Session would take place at the end of August. Mr. Elliott noted he and Mr. Newlin had been meeting with the Department Heads to go over their requests and the Department Heads continued to do a good job of postponing some of the capital improvements during these difficult economic times. Mr. Elliott advised the budget passed at the state level and after 2012 the City would not receive inheritance tax and local government funding would be cut by 50%. Mr. Elliott noted together those cuts were 7% of the City's General Fund operating money.

Mr. Elliott advised all of the police contracts were in place except for the Sergeants and Lieutenants and he would keep Council posted on the progress with that contract.

Mr. Bogard thanked Duke Energy for keeping the electric grid up and running during the hot weather pattern.

Mr. Harman thanked those involved for a wonderful Porsches to Oxford event held over the weekend. Mr. Harman noted the turn-out was phenomenal and it couldn't have been done without all the volunteers.

Mr. Harman advised there was one more Stakeholder meeting regarding the proposed re-routing of US-27 and noted several citizens had asked him what the status of the proposal was. Mr. Harman asked Council to keep the issue on the backburner for the next month or two.

Mr. Rutherford noted Ms Zien brought up the issue of term limits for Boards and Commissions and noted he felt this was an important issue that Council should discuss at a Work Session prior to the upcoming election.

Mr. Blackburn thanked those involved for a great Porsches to Oxford event noting City staff had been very helpful. Mr. Blackburn advised the event was very successful for the City.

Mr. Blackburn thanked Scott Flanigan and his crew from the Water Distribution Division for the great job they did of fixing a water main break on Kehr Road Sunday morning.

Mr. McKeehan inquired if a private group of citizens would be permitted to start a capital campaign for the aquatic center. Mr. Elliott advised yes but they would need to work with the City on the initiative.

ADJOURN

Ms. Currie moved to adjourn at 8:14 p.m. Mr. Harman seconded. The motion passed 7-0-0.