

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, July 1, 2014 at 7:00 p.m. Those members present were Bob Blackburn, Richard Keebler, Mike Smith and Edna Southard. Kate Rousmaniere 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; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Amy Blankenship, Assistant 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) (1) and (2) for the purpose of discussing appointments to Boards and Commissions and property acquisition. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Keebler, Mr. Smith, Ms. Southard, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Ms. Southard moved to return from Executive Session at 7:30 p.m. Mr. Blackburn seconded. The motion passed 5-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Smith moved to approve the agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Keebler moved to appoint Catherine Lok and Brian Jong to the Community Relations Commission for terms expiring in 2016. Mr. Smith seconded. The motion passed 5-0-0.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

MINUTES

Minutes of the June 17, 2014 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the June 10, 2014 Planning Commission Meeting. (Jung-Han Chen, Community Development Director.

Mr. Keebler moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

RESOLUTIONS

RESOLUTION

PUBLIC SAFETY IMPROVEMENT

A Resolution No. 4839 authorizing the installation of striped bicycle lanes on Spring Street from Patterson Avenue to Beech Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised construction was moving forward on Spring Street and Patterson Avenue where a lot of curb gutter and sidewalks were being constructed as well as foundations for new traffic control devices. Mr. Dreisbach noted the City's paving contractor would be ready to begin work there in the next 3-4 weeks and staff was looking for resolution on how to stripe and sign Spring Street from Patterson Avenue to Beech Street or College Avenue. Mr. Dreisbach advised it was pretty clear that there would be dedicated bike lanes from Patterson Avenue to Campus Avenue through Miami's campus area. Mr. Dreisbach noted the recommendation tonight differed from what was previously recommended in trying to find consensus among all parties. Mr. Dreisbach advised staff was recommending dedicated bike lanes to Beech Street and the removal of some parking. Mr. Dreisbach noted between Beech Street and College Avenue the road was not wide enough to support parking and bike lanes and part of that block would have to be sharrowed.

Mr. Keebler inquired if the bike lane at the Patterson Avenue and Spring Street intersection would end prior to the turn lane and Mr. Dreisbach advised yes.

Mr. Vincent Hand, 511 E. Chestnut Street, read the following into the record: ‘Good evening mayor, city councilors and staff. My name is Vincent Hand, and I have lived at 511 East Chestnut Street for 30 years. (I speak in support of dedicated bike lanes on Spring Street.)

To honor your request, and the many hours of public service that you already give to the community, we will try to reduce redundant public comment on this issue. However, many people are here tonight to show they support dedicated bike lanes on Spring Street.

At the last Council meeting, I asked you to honor the dedication, hard work and planning of so many people over the last several years; and to honor the request of more than 400 people who put their names on a petition. Thank you for doing so. All of us appreciate that you have listened and are considering authorizing dedicated bike lanes on both sides of Spring Street. We are grateful for the opportunity to once again urge you to *approve* those dedicated bike lanes.

Dedicated bike lanes on Spring Street will improve safety for drivers and pedestrians, as well as for bicyclists. There is no need to repeat detailed justification. You already have copious information from Dave Prytherch and the Planning Commission, from Councilor Rousmaniere, from City and University staff and consultants, and from many other sources.

In implementing bike lanes, we ask that staff continue to work with Miami University and with experts to maintain continuity and consistency with the lanes already planned for Spring Street between Patterson and Campus Avenues.

We look forward to working with you to carry on timely implementation of the Bicycle and Pedestrian Improvement Safety Plan. We expect this will include prompt provisions for bicycles on Spring Street west of Beech Street. This will facilitate connection with important destinations like grocery shopping, the new Lane library, and the new apartments near the corner of Spring and Locust. Steady implementation of that carefully crafted improvement plan will encourage use and build confidence. We request that you provide a rough time line for the next steps.

By approving these dedicated bike lanes on Spring Street, you will have begun an important and useful change for our city, one that will be welcomed by a wide cross-section of people. We appreciate that you have listened to our requests and made changes.

Please approve dedicated bike lanes on Spring Street, and please continue the momentum toward further implementation of the Safety Improvement Plan.

Thank you.’

Mr. Keebler advised he intended to vote yes on the City Manager’s recommendation for bike lanes on Spring Street but not without some reservations. Mr. Keebler noted he had nothing against bike lanes as long as they served a need, received widespread use, the street width allowed their placement without impeding the flow of motor vehicle traffic and the amount of use justified the removal of parking and the affect on adjacent residents and property owners. Mr. Keebler advised he was not convinced that was the case. Mr. Keebler noted he felt the connection through to Beech Street was good, better than Main Street, because it provided connection to the Uptown on a street less busy than Main Street and not as much grade as Main Street. Mr. Keebler advised it would help make a corridor to the northwest part of town.

Mr. Keebler noted people would like to see the lanes go past College Avenue and Locust Street and connect to Fairfield Road but the pavement width did not provide enough space for bike lanes without seriously affecting traffic flow and would require the purchase of right-of-way and construction costs which were beyond the City's reach at this time. Mr. Keebler advised those who said 'take the parking, it's a public street' obviously did not live in the affected areas or lived close enough to a side street that they would not be affected by losing parking in front of their homes. Mr. Keebler noted many long time residents on Fairfield Road would be affected by the installation of bike lanes and the elimination of parking. Mr. Keebler advised he questioned whether bike lanes had a lot of effect on how many people rode bikes and noted he spent 3 days in Charleston, S.C. last week and there were hundreds of bicyclists and almost no bike lanes anywhere. Mr. Keebler advised Miami students had never biked in large numbers and he doubted the number of bicyclists would increase because bike lanes were installed on Spring Street. Mr. Keebler noted he wanted feedback once the bike lanes were installed and asked the City Manager to arrange bicyclist counts within the next year when school was in session and the weather was conducive for bike riding to see the number of bikes using the bike lanes on a daily basis. Mr. Keebler advised this information would be valuable as Council was encouraged to provide bike lanes in other parts of the City.

Mr. Blackburn noted it was hard to retrofit an old town to accommodate bike lanes and in a perfect world the City would have a million dollars to buy the property necessary to widen the road and give property owners some relief from losing the on street parking. Mr. Blackburn advised the alleys should also be resurfaced for those 4 blocks. Mr. Blackburn agreed with Mr. Keebler with regard to performing bicycle counts. Mr. Blackburn advised he was in Oxford when bike lanes were installed before and they were not used. Mr. Blackburn noted the lost parking would affect 13 property owners and 6 of them wrote letters to the City Manager opposing the installation of bike lanes. Mr. Blackburn noted he wished the City had the money to widen the streets to make bike lanes work.

Ms. Southard noted she felt this was a good resolution and arguments had been made in favor of bike lanes on both sides of Spring Street. Ms. Southard advised the parking situation would change with the former high school site becoming a parking area. Ms. Southard noted this was a good move going into the 21st century and improving the quality of life for Oxford residents and visitors.

Mr. Smith advised he felt this was the best resolution Council could come up with given the street width and the consequences that came with that. Mr. Smith noted some of the rental properties might become more marketable to students who rode bicycles and wanted to live near the bike path.

Mr. Keebler moved to adopt Resolution No. 4839. Mr. Smith seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Keebler, Mr. Smith, Ms. Southard, Mr. Blackburn, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

RESOLUTION
PUBLIC SAFETY IMPROVEMENT

A Resolution authorizing the installation of stop signs at the intersection of Spring and Maple Streets. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised once a month City officials met with Miami University Physical Facilities officials to discuss joint operations, projects and issues at hand. Mr. Dreisbach noted for quite some time there's been concern about the intersection of Maple and Spring Streets and the same concern existed 10 years ago at Oak and Spring Streets when additional stop signs were installed for pedestrian safety at that intersection. Mr. Dreisbach advised Miami University officials greatly desired a 3 way stop at Maple and Spring Streets and with all of the reconstruction in the area now would be the time to install the stop signs. Mr. Dreisbach noted Miami University requested a substantial grant from the Department of Transportation and if awarded there would be huge changes on the south side of Shriver and the 3 way stop would be absolutely necessary. Mr. Dreisbach advised Miami paid their traffic consultant to redesign the difficult intersection of SR 73, Patterson Avenue and Spring Street and as part of the improvements along Spring Street they were requesting a 3 way stop at Maple and Spring Streets. Mr. Dreisbach noted the traffic consultant would like to see the benefit of stopping the east/west traffic on Spring Street to give pedestrians a known place to cross. Mr. Dreisbach advised the traffic consultant felt the 3 way stop would reduce jay walking and pedestrians impeding traffic. Mr. Dreisbach noted staff concurred with the recommendation and the City Engineer felt the 3 way stop was prudent and necessary.

Mayor McKeehan inquired if there were any comments from the public and there were none.

Ms. Southard noted she felt this was a good idea and Council should approve it.

Mr. Keebler advised he was adamantly opposed to installing anymore stop signs on Spring Street or any other Oxford thoroughfare noting 4 and 3 way stops all too often impeded traffic on the thoroughfare in favor of side streets or pedestrians. Mr. Keebler advised stop signs were often misused by municipalities in conflict with warrants under the governing traffic standards and he had seen nothing presented in Miami's report that made him think anything different. Mr. Keebler referred to the traffic analysis on pages 22-28 of the agenda and noted he wasn't a traffic engineer but he was a good observer and problem solver and no where in the report had he seen where there was a problem with the current intersection. Mr. Keebler advised even without stop signs on Spring Street students seemed to move freely and traffic regularly gave way to pedestrians during the high usage periods. Mr. Keebler inquired where the data was to back-up this recommendation and inquired if there had been a lot of accidents at the intersection. Mr. Keebler inquired if the intersection met the warrants for stop signs or if a Miami University Planner told the engineering firm they would like to have a 3 way stop at Maple and Spring to make it easier for students to cross. Mr. Keebler noted reading the complete report by the engineer pretty much backed up his last sentence because they made the comment several times that they were recommending something in line with the university's plan. Mr. Keebler advised recommendations by City staff appeared to be a deferral to the engineer hired by the university. Mr. Keebler noted the only way to steer students to corner crossings was to install fences mid-block because they were going to go the shortest way, they've done that for years and they're going to keep doing it.

Mr. Keebler noted as to more students coming that way from western campus, they should cross Patterson at the north crosswalk at Spring so they only have to cross one street to get to the Armstrong Center. Mr. Keebler advised some comments in the report were interesting and referred to page 21 of the agenda 'Signalized control of Patterson Avenue/Spring Street and Patterson Avenue/Oxford-Trenton Road as a single intersection, with the provision of an all-pedestrian phase, will function acceptably.' (not function well or not function better). Mr. Keebler referred to page 25 of the agenda 'Note that the impact of bus operations and dwelling in front of Shriver Hall was not included in the traffic analysis' and advised he felt that was a lot of what was going on here. Mr. Keebler referred to page 28 of the agenda 'The conversion of the Spring/Maple intersection to all-way stop control is not a traffic volume or capacity-based recommendation. Rather, it is driven by pedestrian safety' and noted there was nothing presented to show its been a traffic problem regarding pedestrians. Mr. Keebler referred to page 28 of the agenda 'One objective of the Campus Circulation Master Plan is to consolidate pedestrian crossings' and again stated that students would cross where they wanted to. Mr. Keebler referred to page 28 of the agenda 'Conversion of the Spring/Maple intersection to all-way stop control is not a capacity or congestion driven recommendation. It is based on improving pedestrian safety by better organizing and controlling driver and pedestrian behaviors. If traffic operations with the conversion to an all-way stop are considered a potential concern, peak hour traffic operations could be evaluated to assess performance and vehicular level of service, based on vehicular and pedestrian volumes collected when classes are in session' and noted the consultant just said Miami's master plan calls for this and we agree. Mr. Keebler noted as he traveled through the intersection he didn't see a problem but if a 3 way stop was installed he saw major problems occurring because students continually stepped off the curb in front of waiting traffic not giving traffic a change to move and Spring Street at Campus Avenue was the same way. Mr. Keebler advised if Council thought the intersection of Spring and Maple was a pedestrian safety hazard then a traffic actuated light with pedestrian crossings should be installed which would provide equal opportunity for vehicles and pedestrians without unnecessarily impeding traffic flow especially when there was little or no traffic around and drivers had to stop. Mr. Keebler noted the City installed a 3 way stop at Campus Avenue and Chestnut Street a number of years ago to make it easier for Campus Avenue traffic to exit onto Chestnut Street and more often than not traffic was backed up a block or more in each direction and not a single car was waiting on Campus Avenue to get out. Mr. Keebler advised that was what happened when stop signs were installed that did not meet the traffic warrants. Mr. Keebler advised he would vote no on the proposed Resolution and encouraged other Councilors to do the same.

Mr. Smith agreed with Mr. Keebler and noted Spring Street was the major EMS route to Miami's campus and having cars backed up in each direction would make it very difficult for emergency vehicles to get through. Mr. Smith advised he was not in favor of the proposed Resolution.

Mr. Smith moved to adopt the Resolution. Mr. Blackburn seconded. The motion failed by the following roll call:

AYE: Ms. Southard (1)

NAY: Mr. Smith, Mr. Blackburn, Mr. Keebler, Mayor McKeehan (4)

ABS: None (0)

RESOLUTION
PERFORMANCE
BOND RELEASE

A Resolution No. 4840 authorizing the release of performance bonds recorded in volume 8105, page 2171 and volume 8175, page 2315 of the lien records of the Butler County, Ohio, Recorder's Office for Long Meadow Subdivision, Section 5. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised Muskopf, Inc. (Developer) had 3 property bonds posted with the City to guarantee the completion of public improvements in Long Meadow Subdivision. Mr. Dreisbach noted the developer had a buyer for one of the lots that was bonded and asked the City to release the lien so that he may sell the lot. Mr. Dreisbach advised Mr. Muskopf agreed to complete the sidewalk system in all sections of Long Meadow Subdivision in return for the City releasing the property bonds. Mr. Dreisbach noted typically he would not ask Council for permission to release a bond until the work was complete but in this case time was of the essence for the sale of the lot to come to fruition. Mr. Dreisbach advised staff had worked with this developer for many years and had no reason to believe the work would not be completed satisfactorily. Mr. Dreisbach noted Mr. Muskopf would deposit a check with the City to guarantee street trees would be planted once the sidewalk system was complete.

Mr. Keebler inquired what the cost of the construction contract was and Mr. Dreisbach advised just under \$30,000.00.

Mr. David Prytherch, 6195 Contreras Road, commended the City for finding a way to solve a problem that all of the residents in this subdivision knew was a long standing one. Mr. Prytherch noted for many who lived in other subdivisions with unsold lots and incomplete sidewalks this was a fantastic way to solve that problem. Mr. Prytherch advised the Planning Commission altered the Subdivision Ordinance to avoid this problem in the future.

Mayor McKeehan noted he was glad to see an amicable resolution to help all parties although he understood the reluctance to install sidewalks prior to a home being built because of damage to the concrete during construction.

Mr. Smith moved to adopt Resolution No. 4840. Mr. Blackburn seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Southard, Mr. Blackburn, Mr. Keebler, Mr. Smith, Mayor McKeehan (5)

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTION 1143.10

An Ordinance Repealing Oxford Codified Ordinance Section 1143.10 Entitled Uptown District, And Adopting New Oxford Codified Ordinance Section 1143.10 Entitled Uptown District.
(Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance was an amendment to the Uptown sidewalk provisions and the intent was to remove the 5 foot encroachment limitation as shown on page 38 of the agenda. Mr. Chen noted the City of Oxford would also be an additional insured on the merchants liability policy. Mr. Chen advised the Planning Commission had a lengthy discussion and recommended the remaining sidewalk shall be open and unobstructed. Mr. Chen noted the amendment would provide merchants the opportunity to utilize the public sidewalk to create an enjoyable environment for residents and businesses. Mr. Chen advised Alan Kyger, Economic Development Director, made this suggestion and he had a PowerPoint presentation to show the rationale behind the suggestion.

Mr. Kyger advised he submitted a Zoning Code Text Amendment to amend 1143.10 Uptown District, by removing the sidewalk provision that 'The use may not extend more than five feet into the right of way'. Mr. Kyger noted a portion of the land use section of the Comprehensive Plan states that we should continue to support retail activity on sidewalks, especially outdoor seating for restaurants, and advised the zoning code hindered that. Mr. Kyger showed slides of various Uptown establishments that utilized the sidewalks and advised the amendment would fix Uptown so what was currently in operation and worked was allowed to work. Mr. Kyger noted the amendment would not change ADA compliance or Fire compliance regulations. Mr. Kyger showed slides of other communities and noted vibrant sidewalks were key to a vibrant Uptown/Downtown District.

Mayor McKeehan inquired if there was anything to preclude merchants from using the right-of-way from the curb inward and Mr. Kyger advised no, citing Starbucks as an example. Mr. Keebler noted access to parking meters needed to be watched.

Ms. Southard noted she felt the amendment was a great idea.

Mayor McKeehan inquired if there were comments from the public and there were none.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately 33.55 Acres Of Land Located Along U.S. 27 North, North And West Of The Intersection Of Todd Road And Ringwood Road, Including The Right-Of-Way Of Ringwood Road And The Northern Half Of U.S. 27 And The Western Half Of Todd Road, Adjacent To Parcel H3610016000002 In Oxford, Ohio, And Rezoning The Property From Butler County Zoning Classification To General Business (GB) District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the last step of the annexation process was to change the zoning classification for the 33.5 acres of land from township zoning to the City's zoning classification. Mr. Chen noted Council adopted the annexation petition on May 6, 2014 and it went before the Planning Commission to amend the zoning map to GB for property generally known as Gillman Home Centers and Koenig Equipment.

Mr. Keebler advised if this was not rezoned GB everything in that area would be non-conforming except for the vacant lot.

Mayor McKeehan inquired if there were comments from the public and there were none.

ORDINANCE
CODE UPDATE

An Ordinance To Approve Current Replacement Pages Of The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Ms. Eaton advised this was the annual Code update which included Ordinances Council adopted through May 20, 2014 and updates to the state traffic and general offense codes.

Mayor McKeehan inquired if there were any comments from the public or from Council and there were none.

ANNOUNCEMENTS

Mayor McKeehan advised three Council members would be out of town for the July 15th meeting and inquired if anyone had objections to cancelling the meeting. There were none. Mayor McKeehan announced that the July 15th Council Meeting was cancelled.

Mr. Elliott advised the plans and specifications for the Fire Station addition were complete and the bid opening was set for July 25, 2014. Mr. Elliott noted the plans included an additional 2,100 square feet of space for sleeping, eating and storage as well as new restroom and shower facilities.

Mr. Elliott advised the City contracted with the Regional Income Tax Agency (RITA) who administers the income tax of 208 Ohio municipalities. Mr. Elliott noted the service had proven to be very effective and efficient in the collection of the City's income tax.

Mr. Elliott advised in 2013 RITA collected \$8,300,000 with an administrative cost of \$111,021 which represented 1.34% of the City's collection total. Mr. Elliott noted staff was very pleased with RITA's service.

Mr. Elliott advised the Clerk would place a notice in the newspaper regarding the July 15th meeting cancellation and noted it would also be posted on the City's website.

Mr. Kyger noted all of the City's July 3rd events would take place at the Oxford Community Park. Mr. Kyger advised Darrtown was celebrating its Bicentennial this Saturday and Sunday and a lot of activities were planned for the event.

Mr. Keebler noted the passing of Steve Husemann who served as the Assistant City Manager in Oxford in the late 70's and was very good and well liked. Mr. Keebler advised Mr. Husemann went on to serve in Tipp City, Kettering and Middletown. Mr. Keebler noted Mr. Husemann was an extremely well respected City Manager in several Ohio cities.

Ms. Southard wished everyone a happy and safe 4th of July and noted Ms. Brahier was unable to be here this evening but the Parks and Recreation Department had been very hard at work preparing for Freedom Fest on July 3rd and 4th. Ms. Southard advised on July 3rd many kids activities were planned at the Oxford Community Park from 6-10 p.m. with live entertainment from 7-10 p.m. and the Fireworks Extravaganza at dark. Ms. Southard noted on July 4th from 11:00 a.m. to 7:00 p.m. a lot of activities were planned at the municipal pool including music by DJ John from 12-3 p.m. Ms. Southard advised many businesses sponsored these events and thanked the Oxford Community Foundation, Pepsi, the Oxford Visitors Bureau, First Financial Bank, Kroger's, McCullough Hyde and Shademakers. Ms. Southard noted as a naturalized American this was a special occasion and she loved the fireworks and hoped everyone had a great time.

Mr. Keebler noted the live entertainment on July 3rd at the Community Park would take the place of the Uptown concert this week.

Mr. Blackburn noted the Porsche event last weekend was successful and they would be coming back to Oxford for the next 5 years. Mr. Blackburn advised Law Camp was also successful last weekend and there were many happy and tired campers and Police Officers. Mr. Blackburn wished everyone a safe and happy weekend.

Mayor McKeehan advised Relay for Life took place last weekend at Millett Hall and \$40,000 was raised for cancer research. Mayor McKeehan noted it was a very positive event to have in the community. Mayor McKeehan commented on the Porsche Red Brick Reunion event and Law Camp and noted there were 104 campers and 104 Porsches in town.

ADJOURN

Mr. Smith moved to adjourn at 8:26 p.m. Mr. Blackburn seconded. The motion passed 5-0-0.