



Agenda

Oxford City Council

Court House

TUESDAY, AUGUST 18, 2020

EXECUTIVE SESSION

None.

This meeting is being conducted in accordance with Sub. H.B. 197 and the guidelines set forth by the Ohio Dept. of Health

1. Roll Call. Mike Smith, Mayor; William Snavelly, Vice-Mayor; David Prytherch; Jason Bracken; Chantel Raghu; Glenn Ellerbe; Edna Southard

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.

3. Public Participation.

- A. Proclamation – “Women’s Equality Day”. pg5



Proclamation

- B. Presentation – Miami University Update – Dr. Jayne Brownell, VP for Student Life and Dr. Kimberly Moore, Associate VP for Student Life and Dean of Students.

- C. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

- A. Minutes of the August 4, 2020, 2020 City Council Meeting. (Mary Ann Eaton, Clerk of Council) pg6



Minutes

- B. Report regarding the July 8, 2020 Historic and Architectural Preservation Commission Meeting. (Sam Perry, Community Development Director) pg24



Report

- C. Report regarding the July 15, 2020 Board of Zoning Appeals Meeting. (Sam Perry, Community Development Director) pg26



Report

- D. Report regarding the August 5, 2020 Environmental Commission Meeting. (Mike Dreisbach, Service Director) pg27



Report

- E. Report regarding the August 6, Recreation Board Meeting. (Casey Wooddell, Parks & Recreation Director) pg29



Report

5. Resolutions.

1. A Resolution authorizing the purchase of two trailer mounted, solar powered, mobile message boards from All Traffic Solutions, Inc. utilizing current government pricing at a cost not to exceed \$29,259.76. (Mike Dreisbach, Service Director) pg30



Staff Report/Resolution

2. A Resolution authorizing the donation of one thousand dollars (\$1,000.00) to Oxford Seniors as a sub-recipient of Federal CARES Act funds to assist with the purchase of a new phone system for the senior center facility. (Joe Newlin, Finance Director) pg34



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Prohibiting Mass Gatherings Of More Than Ten (10) Non-Household Members Within The City Of Oxford, Ohio, To Limit The Spread Of Covid-19, And Declaring An Emergency. (David Prytherch, Councilor) pg38



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Chapter 137 Entitled Housing Advisory Commission, And Adopting New Oxford Codified Ordinance Chapter 137 Entitled Housing Advisory Commission. (Sam Perry, Community Development Director) pg43



Staff Report/Ordinance

2. An Ordinance Amending Ordinance No. 3538. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2020. (Joe Newlin, Finance Director) pg47



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

Future Meetings.

WED – Aug 19 Board of Zoning Appeals Meeting Cancelled

THUR – Aug 20 Police Community Relations & Review Commission Meeting 7:00 p.m.

TUES – Sept 1 City Council Meeting 7:30 p.m.

WED - Sept 2 Environmental Commission Meeting 7:00 p.m.

THUR –Sept 3 Recreation Board Meeting 11:30 a.m.

MON – Sept 7 Holiday – City Offices Closed

TUES – Sept 8 Public Arts Commission of Oxford Meeting 4:30 p.m.

TUES – Sept 8 Planning Commission Meeting 7:00 p.m.

WED - Sept 9 Historic & Architectural Preservation Commission Meeting 6:15 p.m.

MON – Sept 14 Parking & Transportation Advisory Board Meeting 9:30 p.m.

TUES- Sept 15 City Council Meeting 7:30 p.m.

WED – Sept 16 Board of Zoning Appeals Meeting 6:30 p.m.

MON – Sept 21 Housing Advisory Commission Meeting 1:30 p.m.

8. Adjourn.

Office of the Mayor

Proclamation

Whereas: on August 26, 1920, the Nineteenth Amendment was certified as part of our national Constitution, assuring that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of sex"; and

WHEREAS, the struggle for women's suffrage was the first step toward full and equal participation of women in our nation's life. In recent years giant strides have been taken to eliminate discrimination through our laws and to pave new avenues for equal economic opportunity for women; and

WHEREAS, this year, August 26, 2020, is the one-hundredth anniversary of this important milestone in U.S. history; and

WHEREAS, we recognize that attitudes cannot be changed by laws alone, prejudices still exist in the way of progress for women; we therefore, must do all that we can to overcome the barriers against what is fair and right by providing equal opportunity for everyone and voting rights for all citizens, and by urging all citizens to exercise their right to vote in local, state, and national elections.

NOW, THEREFORE, I, Michael Smith, Mayor of the City of Oxford, Ohio, do hereby proclaim August 26, 2020 to be:

"WOMEN'S EQUALITY DAY"

in the City of Oxford and urge all citizens to join in celebrating the progress, while we continue the work of providing "equal opportunities for all".

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 18th day of August, 2020.

MICHAEL SMITH, MAYOR



A virtual meeting of the Oxford City Council was called to order by Mayor Mike Smith on Tuesday, August 4, 2020 at 7:30 p.m. The members participating were Jason Bracken, Glenn Ellerbe, David Prytherch, Chantel Raghu, William Snavelly and Edna Southard.

Staff members participating were: Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. John Detherage, Fire Chief; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Ben Mazer, Assistant Law Director and Ms. Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

Mr. Prytherch moved to amend the agenda to add a discussion regarding the Covid-19 response. Mr. Snavelly seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

Ms. Southard moved to approve the agenda as amended. Mr. Prytherch seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

PUBLIC PARTICIPATION

PUBLIC COMMENTS

Mr. Brandon Humphrey, 609 Ogden Court, advised he was speaking on behalf of and as a member of Black Lives Matter Oxford, Ohio, an organization with over 150 members including nearly 30 leading members. Mr. Humphrey noted he was happy to report both of those numbers were growing. Mr. Humphrey advised prior to this meeting BLM – Oxford delivered to City Council a letter outlining a number of proposals they believe will promote equity, diversity and inclusion in Oxford. Mr. Humphrey read the following letter into the record:

“Dear members of the Oxford City Council,

After the murder of George Floyd by police officer Derek Chauvin, and in light of the many killings of African Americans by officers, a joint message was presented by Mayor Mike Smith, Miami University President Greg Crawford, and NAACP President Fran Jackson, denouncing hate and racism. This message spoke of the need for “transformative change” and called on the community to “come together and focus on our core values which define us. Values centered on creating a just society for all...equity, diversity, and inclusion.”

Chief Jones echoed these sentiments in his accompanying message, calling what happened to George Floyd “indefensible, unjust, and inexcusable.” Chief Jones’s statement also upheld values of diversity, inclusion, and transparency, and concluded with the hope that this tragedy might open “lines of communication” so that the Oxford community can “come to a closer understanding of each other.”¹

We wish to echo Chief Jones’s words and to thank our community leaders for their response to these tragedies and to the ongoing struggle against systemic racism in our institutions. We, the members of Black Lives Matter - Oxford, also feel that equity, inclusion, transparency, and open communication are the key values that promote and preserve all that is beautiful in Oxford, Ohio. And we believe it is the duty of every Oxford citizen to uphold these values as well.

Still, questions remain to be answered: How will Oxford not only say it supports equity, diversity, inclusion, and transparency, but also show it in action? How do we as a community make sure that racial discrimination *isn’t* happening in Oxford? How do we make sure that it *doesn’t* happen in the future? How do we ensure that all Oxford citizens feel able to express themselves freely, through clear lines of communication, without fear of reprisal? And how will Oxford show that it stands in solidarity with other towns and cities in supporting the right of the people to decide how the police—who serve them—function in their communities?

This letter, written by Oxford residents and members of Black Lives Matter – Oxford, Ohio, and endorsed by several area organizations, lays out potential reforms to police policy in Oxford that are crucial for addressing our concerns and upholding the values laid out above. We have offered rationales for each proposal and have included precedent cases where cities have instituted similar reforms. Our guiding principle is that Oxford is and remains a safe place for the entire community, and that *community* is the first priority of elected officials and taxpayer-funded employees alike.

We ask that the City Council of Oxford, Ohio, consider each of these proposals on its own merit, rather than together as a single proposal. Each is valuable in its own right, and each addresses unique concerns around policing. We also ask that these proposals be evaluated by the PCRRC and that their conclusions be presented to city council at the first council meeting following PCRRC’s review, during which time this topic can be discussed in greater depth.

Policies

1. Require Comprehensive Reporting

Require police officers to establish, record, and report objective justification for all stops, including pedestrian stops. These reports should include the reason for the stop, location of the stop, demographic information (e.g., race, gender, approximate age) of persons stopped, and should specify the use of force (if any). PCRRC should be granted access to this data and should provide anonymous, aggregated information as well as conclusions to the public on a quarterly basis.

Rationale: This policy promotes transparency, which is necessary to identify and remedy biases in policing. Public access to aggregate data fosters trust between the Oxford community and the Police Department. Further, a public record of unbiased policing serves as a key marker that Oxford is a truly inclusive community.

The qualitative benefits of this policy far outweigh time costs of reporting; a simple print or digital form with appropriate prompts and response options could be filled out in under a minute.

2. Remove Barriers to Reporting Police Misconduct

For all stops, require police officers to give civilians their name, badge number, reason for the stop, and a card with instructions for filing a complaint with the Police Community Relations and Review Commission (PCRRC).

Rationale: This policy promotes transparency and open communication in policing. Police officers already carry business cards and commonly explain the reasons for stops, so this change would not be disruptive to current policing practices. Personalized business cards and instructional cards are relatively inexpensive, and similar cards are already used by other departments.²

3. Resolution to Research and Fund Alternatives to Traditional Policing

At the July 7th, 2020 city council meeting, Chief Jones outlined Oxford Police Department's values as well as the training police officers undertake in order to more fully live into those values. The themes of continued education in crisis intervention, de-escalation, and mental health came up repeatedly in relation to the training, outreach, and ongoing work of the department. It became clear that the department is doing its best, but that balancing continuing education with everyday functioning of a police department has proved difficult. Chief Jones stated that the department *wished* to better serve persons with disabilities, that they had *tried* to incorporate addiction and implicit bias training, and that crisis intervention training was *encouraged*.³

Such phrasing reflects two truths in policing: OPD does its best to live up to its values, yet there is simply not enough time to ensure officers are experts in mental health, addiction, disabilities, and crisis intervention, all on top of their primary duties. This practice is unfair to both the officers and the community they serve. If Oxford truly values expertise in mental health, addictions, disabilities, homelessness, de-escalation, and crisis intervention, we propose that the city council resolve to begin actively seeking out, researching, and funding public servant roles that address those needs directly.

There are a number of ways this might work. One option would be a program modeled after CAHOOTS (Crisis Assistance Helping Out On The Streets⁴) in Eugene, Oregon, which fills this gap without placing additional burdens of training, time, and cost on the department.

For over thirty years, the CAHOOTS program has served as a popular model for rethinking the role of police in public safety.

CAHOOTS relieves some of the crisis response duties of the police through the help of unarmed first responders trained in mental health, de-escalation, and harm reduction. The success of this model is evidenced by its adoption in larger cities like Oakland, CA, Denver, CO, and Dallas, TX, and smaller cities like Salinas, CA, where similar crisis management teams act as responders to public safety crises that do not require armed intervention.^{5,6} CAHOOTS offers a broad range of emergency services that have previously fallen to police officers to handle, including crisis counseling, suicide prevention, assessment, and intervention, conflict resolution and mediation, substance abuse and housing counseling, first aid and non-emergency medical care, resource connection and referrals, and transportation to services. Not only are these issues that police are often forced to handle, but they are public health and welfare issues that the Oxford community currently faces.⁷

Instead, CAHOOTS allows officers to focus on matters requiring specific police intervention by reducing the need for officers with guns to respond to crises that do not require force. This program reduces costs and decreases the likelihood that a person in crisis will be harmed or arrested. A recent report found that “With just over 2% of the Eugene and Springfield, OR police departments’ annual budgets, CAHOOTS teams answered 17% of the department’s overall call volume. This has saved the city, on average, \$8.5 million each year.”

In the July 7th city council meeting, Chief Jones proposed the hiring of a hybrid police officer and social worker, who would have to go through extensive training in both fields and play dual roles. One benefit of the police social worker, according to Chief Jones, is that this person would intervene without the stigma of a police uniform. However, if this person still works for the police department and acts as a police officer, that stigma will still be present—uniform or no uniform—especially in a small community like Oxford. Moreover, a dual position means that the police social worker must juggle multiple roles that may be at odds with one another, thus lessening the officer's effectiveness. The CAHOOTS program would provide Oxford with experts whose entire focus is in crisis intervention, mental health, and de-escalation, freeing officers to continue the work for which they are trained, enhancing Oxford’s ability to address the public health and welfare needs of its community.

There are several ways that a program similar to CAHOOTS could be funded, whether through reallocating existing funds, committing to a hiring cap that ensures when police officers retire they are not replaced with more officers until a certain quota of alternative public servants is met, working with state and county level resources, or by other measures determined through the research phase of this work. Regardless of *how* these alternatives are funded, we ask city council to recognize the necessity of said alternatives and to work actively to see them instituted in our community. Ultimately, these alternatives will reduce the time, training, and monetary burden on the department that comes from asking officers to perform roles beyond their most important duty of protecting Oxford. It will also serve as a clear declaration that Oxford is committed to upholding—in word and in deed—the values of equity, inclusion, transparency, and open communication.

We appreciate the thoughtful consideration of these proposals which we believe are realistic, enhance the relationship between officers and community members, benefit our most marginalized citizens, and avoid unduly burdening our officers. We hold that these proposals will allow the police and the community to forge a stronger alliance and to uphold the values we all hold dear.”

**Signed,
Black Lives Matter – Oxford, Ohio**

Mayor Smith thanked Mr. Humphrey for the well thought-out letter and advised it would be referred to the Police Community Relations & Review Commission (PCR&RC) for review.

Ms. Jenny Fisher, 3 Quail Ridge Drive, Co-President of Organization, League of Women Voters – Oxford. Ms. Fisher advised their board prepared a statement to be read tonight noting for full transparency they knew BLM was going to speak this evening and the LWV were in collaboration with them. Ms. Fisher read the following statement into the record:

“The League of Women Voters of Oxford agrees with the statement made by the League of Women Voters United States on June 10, 2020.

For far too long, Black people and communities have been subjected to unimaginable abuse at the hands of law enforcement. The issues with policing are not simply the result of a few bad apples. It is the result of systems and policies born from the legacy of racial discrimination and oppression where Black people and people of color are treated as dangerous enemy combatants, rather than human beings with equal rights under our constitution. This problem cannot be trained away.

Therefore, we honor the request by Black Lives Matter – Oxford, Ohio that the Commission and City Council consider proposals to further our community’s effort to ‘make sure Oxford is and remains a safe place of all of its citizens.’

The request recognizes that Oxford’s elected officials, Miami University’s administration and community organizations have denounced ‘hate and racism’ and jointly proclaimed the need ‘for transformative change’ and called on the community to ‘come together and focus on our core values which define us’. It also acknowledges that the Chief of Police understands the community values of equity, inclusion, transparency and open communication are goals to be achieved. With collaboration, we believe that our community is capable of acknowledging systems and side effects of oppression and that together we can take concrete steps to fix them.

Ms. Shana Rosenberg, 1036 Arrowhead Drive, advised she was in support of Black Lives Matter – Oxford’s proposed initiatives. Ms. Rosenberg noted she volunteered as one of the founding members of Oxford’s Police Community Relations & Review Commission in 2016 because of her support of the Black Lives Matter movement. Ms. Rosenberg advised it was her belief if we make policing work for black lives and the lives of other diverse populations we will make policing work better for all of us.

Ms. Rosenberg noted she was a member of a group at risk of police over-reach and brutality and she will feel safer when common sense police reform is enacted. Ms. Rosenberg advised she felt each of BLM's proposed initiatives make good sense and commented on each of them.

Ms. Prue Dana, referred to the comments made by Ms. Fisher and noted it was her pleasure to introduce Jenny Fisher as one of the Co-Presidents of the League of Women Voters of Oxford to City Council. Ms. Dana advised Ms. Fischer was in charge of administration for the organization. Ms. Dana noted the LWV was very happy to have Ms. Fisher as part of their organization and advised Council would hear a lot from her as the league works on their programming and voter services.

Mr. Justin Chandler, 106 ½ W. Chestnut Street, noted he was a member of the Black Lives Matter – Oxford, Ohio group and helped in the writing of the letter co-written by Oxford community members and presented to multiple community organizations for suggestions and endorsements before being presented to City Council. Mr. Chandler read a letter on behalf of the Butler County Progressive PAC into the record as follows:

“ To the members of Oxford City Council:

The officers and Executive Board of the Butler County Progressive Political Action Committee support Black Lives Matter – Oxford's July 31, 2020 letter to City Council proposing policing changes in the City. The BCP PAC founding principles state in part ‘we believe that individuals have a fundamental right to live in a world of social, political, environmental and economic justice and we believe it is necessary to address the root causes of the problems we face.’ BLM – Oxford's proposals to require comprehensive officer reporting, remove barriers to reporting police misconduct and research and fund alternatives to traditional policing are in alignment with those principles. They build on the existing values and good intentions already evident in the Oxford Police Department and City Council. As the authors of the letter write they will also serve as a clear declaration that Oxford is committed to upholding in word and in deed the values of equity, inclusion, transparency and open communication. They lay out clear rationales for each proposal as well as road maps of how to achieve them. We believe these proposed policies are desirable and achievable and we urge the City of Oxford to adopt them. Once implemented they can serve as a model for other cities in Butler County, throughout the State of Ohio and across the country. BCP PAC commends Black Lives Matter – Oxford for their leadership and for their optimism that Oxford can live up to its full potential as a truly inclusive community.”

Ms. Geneva Blackmer, 2315 Glen Court, advised she was speaking on behalf of The Interfaith Center at 16 S. Campus Avenue. Ms. Blackmer read a letter of endorsement on behalf of The Interfaith Center at Miami University as follows:

“Please accept this letter of endorsement on behalf of the Interfaith Center at Miami University offering our full support of the police policy reforms proposed by Black Lives Matter – Oxford. The Interfaith Center encourages the Oxford City Council to adopt the following reform policies: 1.) Require Comprehensive Reporting; 2.) Remove Barriers to Reporting Police Misconduct; and 3.) Resolution to Research and Fund Alternatives to Traditional Policing.

At the Interfaith Center, we actively seek to deconstruct implicit bias, racism, and xenophobia, which creates barriers and divisions within our community. It is impossible for us to cultivate a safe space for people of all diverse religious, spiritual, and secular world views, or to actualize our vision of a welcoming, just, and equitable society, if systems within our own community do not embody this vision. The Interfaith Center encourages the Oxford City Council to adopt the appropriate reforms necessary to eradicate bias and racism from our institutions, policies, and organizational structures, beginning with the current police policy reforms presented by Black Lives Matter – Oxford.

If you have any questions, please do not hesitate to contact us.

Kind regards,
Geneva Blackmer, Program Director”

Ms. Nicole Newsome, 3770 Southpointe Parkway, advised she was one of the Co-Leaders of BLM-Oxford noting she fully supported the list of recommendations presented this evening. Ms. Newsome advised she felt Oxford has the upmost potential to set an example for other small towns across the United States in implementing revolutionary change in creating an intentional relationship between the police and the community members through the list of recommendations. Ms. Newsome noted her hope Council would consider the proposals and work towards an even better and more inclusive Oxford.

Ms. Greene read the following e-comment into the record:

Comments submitted on Tuesday, August 4, 2020 - 3:10pm:

- **Name:** Michael and Theresa Beck
- **Address:** 1348 Dana Drive
- **Email Address:** beckte2@miamioh.edu
- **Meeting Date:** Tue, 08/04/2020
- **Agenda Item:** Public Comments
- **Comments:**

We read and understand that the City is planning to enforce the ordinances concerning noise and litter at student parties. We also hope that the city plans to control any large crowds at student parties. The citizens of Oxford look to the city to protect the whole community. Thank you.

CONSENT AGENDA

Minutes of the July 14, 2020 City Council Special Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the July 21, 2020 City Council & HAC Joint Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the July 21, 2020 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Snavely moved to approve the consent agenda. Ms. Southard seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

RESOLUTION
TRANSFER OF FUNDS

A Resolution No. 7204 of Council accepting the recommendation of the Housing Advisory Commission and authorizing the transfer of approximately \$5,825.00 from the Housing Trust Fund to the Family Resource Center to assist individuals and families with housing needs. (Sam Perry, Community Development Director)

Mr. Perry advised this matter was discussed at a previous meeting and at the Work Session on July 21, 2020. Mr. Perry noted in 2008 City Council placed \$10,000 into a fund as seed money intended for affordable housing purposes. Mr. Perry advised in 2009 \$5,000 was used in partnership with the Community Foundation to purchase a home and since then the remaining funds have sat dormant. Mr. Perry noted following the impacts of Covid-19, and the discussion at the recent Work Session, the Housing Advisory Commission recommends the remaining balance of approximately \$5,825 be transferred to the Family Resource Center to assist individuals and families with housing needs. Mr. Perry offered to answer any questions.

There were no comments from the public.

Mr. Bracken noted he was on the Family Resource Center Board and inquired if he should recuse himself. Mr. Mazer advised no, since Mr. Bracken would not derive any personal benefit from the transfer of money.

Mr. Snavelly moved to adopt Resolution No. 7204. Mr. Ellerbe seconded. The Resolution was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
NEW CHAPTER 137

An Ordinance Repealing Oxford Codified Ordinance Chapter 137 Entitled Housing Advisory Commission, And Adopting New Oxford Codified Ordinance Chapter 137 Entitled Housing Advisory Commission. (Sam Perry, Community Development Director)

Mr. Perry discussed the proposed changes to Chapter 137 as outlined on pages 38-40 of Council's packet and offered to answer any questions.

Ms. Sherry Lind, 134 Northridge Drive, Chair, Housing Advisory Commission, thanked Mr. Perry for his assistance in preparing the proposed Ordinance. Ms. Lind referred to the Joint Work Session on July 21, 2020 and noted the City Manager spoke about the difficulty of finding citizens who wish to serve on City Commissions. Ms. Lind advised if we needed to look outside of Oxford and Oxford Township to find a professional who fits one of the categories listed it would be difficult to recruit them if they were not a voting member. Ms. Lind suggested restricting the number of members from outside of the City and township to two and allow them to have voting privileges.

Mr. Bracken advised he had no objection to Ms. Lind's suggestion noting he felt it was a good idea.

Mr. Prytherch noted he appreciated the great work being done by the Housing Advisory Commission. Mr. Prytherch advised the HAC was not really a policy making body for which voting is as essential as other boards or commissions such as the Planning Commission. Mr. Prytherch noted he felt the proposal will not impede the work of the board or the ability to recruit people even if non-resident members are non voting members.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3538. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2020. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on pages 41-43 of Council's packet and offered to answer any questions.

There were no comments from the public.

Ms. Southard referred to the purchase of mobile electronic messaging boards for Covid-19 reminders and noted she felt it was a great idea. Ms. Southard inquired what the lifespan of the boards were. Chief Jones advised he was not sure of the lifespan although OPD has used similar boards for at least ten years. Chief Jones noted they could be used for traffic control with built-in radar or for announcements. Chief Jones advised he felt they were very versatile.

Mayor Smith advised he felt it was a great idea and noted the boards were an allowable expense for CARES Act funding.

ORDINANCE
SECOND READING
NEW CHAPTER 139

An Ordinance No. 3578 Repealing Oxford Codified Ordinance Chapter 139 Entitled Student/Community Relations Commission Section 139.02 Entitled Composition And Appointment, And Adopting New Oxford Codified Chapter 139 Entitled Student/Community Relations Commission, Section 139.02 Entitled Composition And Appointment. (Sam Perry, Community Development Director)

Mr. Perry addressed his staff report as presented on page 46 of Council's packet noting the proposed changes reflect staff changes at Miami University and allow more diverse student body representation on the commission.

There were no comments from the public.

Ms. Southard noted she felt it would be useful for citizens to hear what boards and commissions do and why it is a good thing for citizens to be involved.

Mr. Elliott advised staff could do that at a later date noting a lot of information is available on the City's website. Mr. Elliott advised the website goes into detail about the purpose of each board and commission, lists the current members and provides minutes from recent as well as archived meetings. Mr. Elliott encouraged those interested in serving to review the City's website.

Mr. Prytherch thanked all of those who serve on the various boards and commissions noting Council devotes time and energy to develop the composition and structure of each one.

Mr. Snavelly moved to adopt Ordinance No. 3578. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

DISCUSSION – COVID-19 RESPONSE

Mr. Prytherch advised he would kickoff the discussion and ask for an update from Ms. Greene or someone who has been a party to the conversations for big picture context. Mr. Prytherch noted MU delayed the school year in terms of classes being taught and advised they would be online until September.

Mr. Prytherch advised MU released sophomores from their housing contracts and many of them rushed to get apartments in Oxford. Mr. Prytherch noted he felt there might be 10,000 to 15,000 students in Oxford this semester regardless of whether MU is offering in person classes. Mr. Prytherch advised he was still unclear how this population will be kept safe noting if covid-19 spreads among the population off campus it could imperil Miami's in person semester. Mr. Prytherch advised he would like to discuss what Council can do between now and the beginning of the semester to ensure everyone's safety after Ms. Greene provides an update.

Mr. Elliott noted Council was aware of several of the steps already taken including the facemask Ordinance which was adopted. Mr. Elliott advised a form was available on the City's website entitled Covid-10 Concerns noting 7-8 concerns have been received. Mr. Elliott advised a very productive meeting was held with bar and restaurant owners last week to discuss the City's expectations and concerns with the return of Miami University students. Mr. Elliott noted Ms. Greene facilitated the meeting with Chief Jones, Chief Detherage, Assistant to the City Manager, Seth Copenbaker and himself participating along with the Butler County Health Commissioner and her staff. Mr. Elliott advised a meeting will be held next week with landlords to discuss expectations with them. Mr. Elliott noted Ms. Greene as been heavily involved with Miami University's Safe Return to Campus initiative and has been meeting with various Miami University officials.

Ms. Greene advised she listened this evening to an off-campus student webinar with Jayne Brownell and Provost, Jason Osborne noting they discussed their hope students would not move back until the in-person classes begin in September. Ms. Greene advised they also acknowledged that probably would not happen and made pleas to the students that it is on them to keep the community safe. Ms. Greene noted she and Chief Jones met with Dean Moore this morning and Ann James to talk about consequences on campus for off campus behavior and advised she invited them to speak to City Council on August 18. Ms. Greene advised like the City, Miami University officials are taking community safety very seriously noting a violation of a Covid-19 restriction will be considered a health and safety violation in the Student Code of Conduct. Ms. Greene noted a minor violation will result in education and a conversation and a repeated or egregious violation will result in probation and/or suspension. Ms. Greene advised the City will share formal police reports and data from the City's Covid-19 Concern form with Miami officials so they can see repeat violations.

Mr. Prytherch inquired what a party would be cited under and by whom. Ms. Greene advised Miami officials stated very clearly today that mass gatherings need to be 10 or fewer people with exceptions for weddings, funerals and first amendment rights (protests). Chief Jones noted most of the parties OPD responds to are enforced under litter, noise, disorderly conduct and nuisance party regulations. Chief Jones advised those citations are sent to the university along with the police reports. Chief Jones noted there is an Ohio Revised Code Section for violation of a Health Department Order, which could be used if necessary. Chief Jones advised the Governor released new directives that he needs to review. Mr. Prytherch suggested turning the Governor's recommendations into an Ordinance.

Ms. Southard advised citizens are more concerned about mass gatherings than anything else and justifiably, noting we have never been in a pandemic before.

Ms. Southard noted she would like to see an emergency Ordinance pertaining to gatherings. Ms. Southard inquired what the role of the Miami University Police Department was with regard to enforcing parties. Ms. Southard proposed that the Law Director draft an Ordinance that will carry some weight.

Mr. Snavelly agreed with Ms. Southard noting his hope the consequences for holding mass gatherings was something like suspension as Tulane University has talked about. Mr. Snavelly advised he felt if it was clear, spelled out and significant there should not be a problem. Mr. Snavelly noted the sophomore rush has already begun and he has heard from landlords that they are being overwhelmed with everything being rented. Mr. Snavelly advised Governor DeWine has decided to encourage the liquor commission to close all bars at 10:00 p.m. noting students do not go Uptown until 9-10 p.m. Mr. Snavelly advised they might not go Uptown at all and immediately go to large house parties which could be true for non-student residents as well. Mr. Snavelly noted he felt there should significant fine for a large gathering in the range of \$500. Mr. Snavelly commended Mr. Prytherch for bringing this matter forward and seconded the call for legislation at the next meeting as an emergency.

Mr. Bracken suggested not allowing indoor parties but allowing gatherings outdoors (20 or less). Mr. Bracken noted he supported the idea of holding people accountable for this because it was a very big deal.

Mr. Snavelly suggested fining the homeowner or the leaseholders for hosting a large gathering which disincentives holding those parties noting if they are going to be outside they should be socially distant.

Ms. Greene advised there was not a clear way to know who all lives at any particular address noting the university asks students to report that information although many do not provide it. Ms. Greene noted some landlords are not willing to share whose names are on the lease. Ms. Greene advised getting a complete picture of who lives in a home is one of the top challenges for the Safe Return to Campus initiative.

Mr. Prytherch noted he felt the penalty should be \$500 and \$1,500 for a second offense and advised that person could be out of the university and out \$1,500. Mr. Prytherch noted the host would have to manage the size of the gathering. Mr. Prytherch advised he did not want this to drive the parties into the basement and suggested a tiered approach where a bigger gathering could happen if it was all outdoors. Mr. Prytherch noted he could not believe it is August 4 and Council is just figuring this out noting Miami University has not discouraged 10,000 plus students from being in town. Mr. Prytherch suggesting holding an emergency meeting before 2 weeks from now.

Mr. Elliott inquired if Council was referring to an administrative fine or a criminal fine noting there was a big difference. Mr. Elliott referred to the statements from Black Lives Matter and not sending police to every incident or problem that we have noting this is exactly what we are looking at here. Mr. Elliott advised he did not think Council could deviate from the ten person gathering rule and be consistent with the governors recommendations.

Mr. Elliott noted Miami University's help was needed because they have the 'big stick'. Mr. Elliott advised some of the lodging houses and fraternity houses have 20-25 persons in the dwelling as a family unit.

Mr. Ellerbe noted he felt Council was doing two things they have been asked not to do in the past. Mr. Ellerbe advised Council was speculating how to legislate how the police are going to adjudicate things noting he would rather see the police let Council know what things look like and then make an informed decision. Mr. Ellerbe advised Ms. Greene informed Council that Miami University is fully willing to participate in having the student's experience real scholastic based punishments if they are not behaving like good stewards in the City. Mr. Ellerbe noted he did not feel Council should rush to have emergency meetings and legislation about things they do not know about yet. Mr. Ellerbe advised Chief Jones and his staff are more than competent to assess the situation, report back and provide Council with some suggestions on how Council can address the situation.

Ms. Raghu agreed with Mr. Elliott regarding being consistent. Ms. Raghu noted she understood the incentive to be outdoors although there are physicists that study aerosols and the passage of it noting they were the people that talked about how Covid-19 was passed on aerosols before we thought masks were not a big deal, it was being spread on contact surfaces. Ms. Raghu advised there were parties everywhere last spring during the shelter in-place order. Ms. Raghu noted businesses were open now and she had no reason to think the behavior would be any different. Ms. Raghu advised she would be curious to see what Health Commissioner; Jenny Bailer has to say or feedback from a public health standpoint.

Mr. Elliott advised if Council passes an Ordinance he was not sure he wanted to ask the police to be involved and noted if the citations were administrative he felt the City would fare better. Mr. Elliott advised if the City goes to court with a criminal charge for a gathering of over 10 he was not sure the county prosecutor or the judge would support the City.

Ms. Southard again asked what Miami's Police Department role was and inquired if they could do some administrative fining. Ms. Southard inquired why the enforcement has to fall exclusively on OPD. Ms. Southard advised she would like to know what MU is doing about testing, quarantining and contact tracing for Covid-19. Mayor Smith advised Ms. Greene will provide that information.

Chief Jones referred to a comment by Mr. Prytherch and advised it is not at the last minute that Miami officials and City staff are dealing with this issue noting he has been dealing with this for quite a while. Chief Jones advised he has talked to the judge and to attorneys. Chief Jones noted historically OPD has responded to parties in town and they are used to dealing with public disorder. Chief Jones advised the nuisance party regulations in place are a powerful tool in dispersing parties. Chief Jones noted he felt OPD needs to use existing laws and advised based on conversations with the judge a City Ordinance is going to hold up a lot less than the state code and that might not hold up based on the First Amendment, freedom to assemble. Chief Jones asked Council to let OPD use existing laws noting OPD can also educate and inform people.

Mr. Prytherch advised he was not referring to the City of Oxford earlier and noted he was disappointed with MU and its ambiguities about the situation particularly with the off campus population. Mr. Prytherch noted he was waiting for explicit clarity and advised he was the parent of a student and the clarity is not there. Mr. Prytherch advised he felt it was on Council to be hyper clear, noting he felt the City needed something that was clear to students, enforceable with a penalty that is meaningful to them and clear enough to demonstrate legally that a party was held in violation of the governor's orders so there is something to report to MU. Chief Jones advised the fine for nuisance parties is \$500. Chief Jones noted MU officials are scheduled to speak to Council at the next meeting. Chief Jones advised MUPD was on board with helping OPD enforce parties.

Mr. Snavelly advised he would like to trust Chief Jones on this matter noting the nuisance party regulation was already on the books. Mr. Snavelly noted he felt Council needed to monitor this because if it gets out of control other measures would have to be taken. Mr. Snavelly advised all of the small businesses in Oxford were depending on Council to make the right decision noting it would be disastrous if they have to close down again.

Mr. Bracken noted at the end of the school year OPD broke up many parties although they reformed almost immediately after. Mr. Bracken advised he felt Council has an obligation to do as much as they can. Mr. Bracken noted if Council can discourage a percentage of the parties he was in favor of an Ordinance. Mr. Bracken advised Covid-19 is the 5th leading cause of death in the US and it has only been here for 5 months.

Mr. Prytherch noted his hope there would be hyper clear communication about a non-family social gathering as per the governor's orders and that it can result in a large fine and an academic penalty. Mr. Prytherch advised if that is done he hoped people would self regulate.

Mr. Raghu inquired if Miami University was taking a proactive approach with educating students about Covid-19. Ms. Greene advised she has been extremely impressed with the Safe Return to Campus committee she has been working with noting they were hard working caring people noting they have involved students and every department imaginal. Ms. Greene advised the committee has been meeting all summer to educate students about all of the things Council has been discussing. Ms. Greene noted she invited Miami officials to speak at the next meeting and advised she felt they were doing their absolute best.

Mr. Bracken advised he was interested in hearing about testing, tracing and quarantining if Council was ready to move onto that.

Mayor Smith advised he would sum up Council's discussion noting for the moment Council was willing to trust Chief Jones, OPD and the nuisance party ordinance although Mr. Elliott and the legal department should work on an outline or draft ordinance, which could be adopted if things go south.

Mr. Bracken, Mr. Prytherch and Ms. Southard were in favor of adopting a new ordinance.

Ms. Greene advised testing will be administered at Miami University for anyone who has symptoms of Covid-19 noting it will also be provided for asymptomatic faculty and students who have had a recent or suspected exposure to Covid-19. Ms. Greene advised Miami officials seem confident in their testing ability. Ms. Greene noted there were two plans for quarantining and advised isolation was for those with a positive test and diagnosis from a physician. Ms. Greene noted quarantining will be for those identified by contact tracing through the Butler County General Health District which will be for 14 days.

Mr. Prytherch noted concern with what Miami students will do with their free time since most programming and sporting events are cancelled. Mr. Prytherch suggested the City invest in outdoor programming such as movies. Ms. Southard was in agreement with creating Covid-19 safe programming.

Ms. Southard requested a short Covid-19 update be placed on each upcoming Council agenda.

ANNOUNCEMENTS

Mr. Elliott encouraged everyone to purchase gift cards through the City's Gift Card program to help the small businesses in Oxford noting the City still has many cards to sell.

Mr. Elliott advised the Census Bureau is ending data collection on September 30, 2020 a month earlier than they had planned. Mr. Elliott noted as of August 1, 2020 Oxford's response rate was 51.3% compared to US response rate of 63% and an Ohio rate of 67.3%. Mr. Elliott encouraged everyone to make sure they respond.

Chief Jones referred to the Black Lives Matter discussion this evening noting the items they brought up are worthy of further discussion at the Police Community Relations & Review Commission Meeting. Chief Jones advised the first two proposals were things OPD is already working on which are achievable. Chief Jones noted overall he felt their statement supported values he has shared in the past. Chief Jones advised BLM is a new group that he is not familiar with noting he has worked with many groups including the NAACP. Chief Jones noted he would like to be part of the conversation and advised while these are fine ideas he has some other things he thinks should be thought about. Chief Jones noted he felt OPD was the most progressive Police Department in Butler County and advised he feels somewhat attacked when he is trying to do all these things. Chief Jones noted he was sure many of the people involved who supported this reside in Oxford Township and inquired if they realized Oxford Township has a Police Department and also have jurisdiction in the City of Oxford as well as the Sheriff's Office. Chief Jones advised he would like to be consulted with regard to improvements. Chief Jones referred to the "CAHOOTS" program mentioned in the BLM letter and noted it was more of a Council level project to talk about as it will involve their budget. Chief Jones advised there were county agencies funded by all of our tax dollars and he felt they should be here addressing that. Chief Jones noted his proposal for a police social worker was not a hybrid police officer; it was for an actual licensed social worker. Chief Jones advised he felt the national agenda has got us caught up into this sweeping motion although it is something OPD has already been working on.

Chief Jones reminded Council a year ago today a killer unleashed hell in Dayton, Ohio killing 9 people and was fatally shot within 32 seconds by police officers who carry guns. Chief Jones noted the police officers were there and able to respond so quickly because they were imbedded in the community. Chief Jones advised police officers have to be out there engaging with the community carrying a weapon so they can respond to potentially violent situations.

Mr. Perry advised some property owners want to create outdoor patio space because their tenants do not want to attend house parties.

Mr. Wooddell advised a picture was sent to him from Kroger of their Health and Wellness section where Oxford Parks and Recreation was listed in large letters on the wall as part of their remodeling project along with the Oxford Community Park. Mr. Wooddell thanked Kroger for the recognition.

Mr. Wooddell advised he was open to brainstorming ideas with Ms. Greene and partner with Enjoy Oxford on how to engage students.

Ms. Greene thanked the Talawanda School Board for an extremely difficult decision noting she watched their recent meeting which was painful although it was clear how much everyone cared. Ms. Greene thanked them for their service to the community.

Ms. Greene congratulated Seth Copenbaker who recently started working in the City Manager's Office noting she was excited to have him join the staff.

Ms. Greene advised the City was planning to end the Red Brick Friday event this Friday noting the DORA program would end this Sunday.

Ms. Greene noted she has been invited to work on the Climate Action Committee for Miami University and advised she, Mr. Perry and Mr. Dreisbach plan to work on the Amtrak project later this week.

Ms. Raghu noted she felt the comments by Chief Jones were encouraging as far as wanting to be part of the conversations. Ms. Raghu advised the letter from BLM was not a personal attack. Ms. Raghu noted she appreciated those who spent a lot of time building consensus and drafting a letter making sure as many people had their part to say. Ms. Raghu advised the Police Community Relations and Review Commission was meeting Thursday, August 20 at 7:00 p.m. virtually.

Ms. Raghu referred to the Resolution Council adopted in April encouraging the Area 1 Court to suspend or delay evictions noting at the time four families were affected. Ms. Raghu inquired if staff knew how many were on the docket now. Mr. Elliott advised three.

Ms. Raghu advised the school board made a courageous decision for the benefit of the students and their families to try to limit spread. Ms. Raghu noted her hope Council can be as courageous in making tough decisions. Ms. Raghu advised a lot of strain will be put on families with their kids not going back to school and parents trying to work, some without paid sick days.

Ms. Raghu noted she looked forward to Council's Covid-19 response looking at the bigger inequities in the local community that go far beyond the police.

Mr. Snavelly thanked Oxford's Fire Department for coming to his house at 2:30 a.m. for a false alarm noting they are fabulous people who show up when needed.

Mr. Snavelly referred to OPD noting many people have said things about them that he did not appreciate. Mr. Snavelly advised if people talk about defunding them they may be talking about something else rather than the funding for the Police Department. Mr. Snavelly noted his hope Council judges OPD by what they do and advised Oxford has a fabulous Police Department with great leadership and Council needs to support them.

Mr. Snavelly advised he watched the last BZA Meeting and encouraged other Councilors to watch it. Mr. Snavelly noted it would be an understatement to say he was dismayed. Mr. Snavelly noted despite all of the members agreeing it was a significant change and despite not showing any hardship the BZA agreed to allow a local establishment to build a second story party deck which he sees nothing good coming out of. Mr. Snavelly suggested scheduling a Work Session with the BZA for them and Council to understand what their role is, what the criteria are, and how they are supposed to interpret it.

Mr. Snavelly requested that bar owners who wish to can continue to use the DORA cups they have already bought and have the DORA stickers on them rather than purchasing DORA cups the City recently received.

Mr. Bracken echoed Ms. Raghu's comments especially regarding the BLM letter. Mr. Bracken urged Chief Jones not to feel personally attacked noting these were systemic issues. Mr. Bracken noted he felt Chief Jones is putting forth a good faith effort into making OPD as transparent and progressive as possible.

Mr. Bracken thanked City staff for their hard work noting he believed all of the citizens appreciate it.

Ms. Southard echoed the thanks to City staff for their excellent work during tough times. Ms. Southard noted the Covid-19 issue was the biggest issue facing us with all kinds of ramifications not the least of which is the City budget. Ms. Southard thanked Finance Director, Joe Newlin for providing budget updates to Councilors on a regular basis. Ms. Southard thanked the City Manager and the Department Heads for their leadership.

Ms. Southard thanked Mr. Prytherch for bringing up the Covid-19 issue, which is on everyone's mind noting she appreciated the conversation and sharing of ideas. Ms. Southard encouraged everyone to check-in on people or give them a call, as people are still isolating and noted the elderly and infirm need to be checked on.

Mr. Prytherch thanked his fellow Councilors for amending the agenda to allow for the Covid-19 discussion noting it was a super challenging issue.

Mr. Prytherch referred to the City budget and advised if Miami University does not have operations it affects the income tax and the purchases of water and sewer. Mr. Prytherch noted he felt anything we can do to help have a successful semester or to mitigate the situation must be done.

Mr. Prytherch advised he was grateful to have the kind of Police Department we have in the City of Oxford and the leadership it has.

Mr. Prytherch noted in addition to surviving the pandemic the City continues to do good work which includes a lot of progress on the Oxford Area Trail among other forward thinking projects the City is working on.

Mayor Smith thanked everyone for wearing their masks noting he would like the student population to make good choices especially those who will be in their first time off-campus housing. Mayor Smith reminded everyone to wash their hands and practice social distancing.

ADJOURN

Mr. Snavelly moved to adjourn at 10:01 p.m. Ms. Southard seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	August 13, 2020
COUNCIL MEETING DATE:	August 18, 2020
AGENDA TITLE:	July 8, 2020 Historic and Architectural Preservation Commission Summary (Virtual Meeting)
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRL 8/14/20</i>

This meeting was conducted virtually using Zoom and Youtube in accordance with House Bill 197.

HAPC-2020-06, 28 W High Street, installation of new windows and change of exterior paint color, **Scott Webb, Applicant**; This project is to install upper level windows on the side façade of the 1871 Davis Block. The windows would be visible looking east down High Street. No other changes are proposed to the building, other than re-painting the façade to a lighter color to lower the heat absorption. The Commission approved the request as-presented on the condition that the front façade paint color be carried around the side to match.

HAPC-2020-08, 101 W Church, Pre-Application, demolition and proposed four story structure, **Norm Butt, The Architectural Group, Applicant/Agent**; This project is to demolish the existing 2 story 4,000 square foot building and replace it with a 4 story 19,000 square foot building with underground parking. This project will require at least two HAPC meetings. The site is a 1/4 Uptown city block. The existing building is designated Historic in the 2018 inventory; so a financial analysis for the rehabilitation is required (per 2019 code amendments). Secondly, the design of the replacement building will have to be approved prior to demolition approval. The architect presented the cost analysis from a contractor as well as several slides of the proposed design. The proposed design is a combination of different materials, including glass separation elements, a pitched roof and wrought iron fencing at the ground level. There was discussion on the extent of the fire damage to the building, the history of the site around the current building and the overall scale of the proposed building. The Commission did not vote on the case because it was a pre-application review. The Commission did



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vote to retain a third party entity to conduct a financial analysis: fair market value and construction estimation.

HAPC-2020-09, 36 E High Street, Brick Street, addition of a second floor patio, Mark Weisman, Applicant; This project is to add a second level to the existing outdoor patio structure facing North Poplar Street. The architect and business owner were present for the case. There was discussion on the pedestrian flow, safety and architectural design comparison to existing building. It was found to be appropriate. The Commission approved the design as-presented.





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Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	August 13, 2020
COUNCIL MEETING DATE:	August 18, 2020
AGENDA TITLE:	July 15, 2020 Board of Zoning Appeals Summary (Virtual Meeting)
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 8/14/20 Sam Perry

BZA-2020-04, 36 E. High Street, Variance to Chapter 1143.10(C)(2) to allow 0' setback for a second floor patio addition, **Mark Weisman, Appellant**; This project is to add a second level to the existing outdoor patio structure facing North Poplar Street. The architect and business owner were present for the case. Zoning code requires a 16.5 foot front yard setback from Poplar Street. The previously approved variance does not allow a second level to be built without this new request to BZA. The applicant's proposal is based upon a desire to expand outdoor service areas for social distancing. The board discussed the case using the seven decision standards and approved the request (3-2-0) with two conditions:

1. The skydeck's rail height shall be increased to the height of the columns/posts (4'8").
2. There will be no egress from the inside of the building to the outside deck, thus limiting to just the two stairways.

The BZA's decision was based on standards:

- C. That the essential character of the neighborhood would not be substantially altered by the variance and adjoining properties not suffer a substantial detriment as a result of the variance.
- F. That the property owner's predicament could not be feasibly obviated through some other method other than a variance.
- G. That the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 18, 2020

Service Department
Originating Department

Account Code #: N/A

David Treleven
Prepared By

Budgeted Amount: N/A

August 7, 2020
Date Prepared

Agenda Title:	Environmental Commission Meeting of August 5, 2020
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members in attendance for the Wednesday, August 5, 2020 virtual meeting were: Chair, Mr. Jon Ralinovsky; Vice-Chair, Mr. Wright Gwyn; City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Mr. Jason Bracken; Mr. Andor Kiss, and Mr. Steven Elliott. A quorum was present. Also present for the virtual meeting was Ms. Suzi Zazycki, Associate Director of the Miami University (MU) Institute for the Environment and Sustainability Department (IES).

The minutes from the June 3, 2020 monthly Commission meeting was unanimously approved as presented.

Ms. Zazycki provided an anticipated timeline for the IES Professional Service Project (PSP) to prepare a community-scale greenhouse gas (GHG) inventory for Oxford. The community-scale GHG inventory is required for Oxford's participation in the Global Mayors Covenant for the Climate and Energy. Work on the PSP will occur during the upcoming MU 2020 – 2021 academic year. Presently, five graduate students will be work on the PSP, but it is not yet known about the distribution of in-person attendance versus remote learning due to the on-going COVID-19 restrictions. On-line experiences with last semester's PSP indicated that while cumbersome, remote and/or virtual efforts could be successful in completing PSPs. The graduate students will spend the first semester researching the GHG inventory process, reviewing work on GHG inventories from past PSPs, and are to prepare a proposal to the Commission outlining their proposed goals and objectives. Work on the Oxford community-scale GHG inventory will start in January 2021. The January "J" Term is typically when the students can make good progress on their PSP, as they do not yet have other class loads to compete for their time. The initial intent was to utilize 2020 data for the preparation of the community-scale GHG inventory, but Commissioners pointed out that given the social disruptions due to the COVID-19 restrictions, the 2020 data may not be representative. The Commission recommended utilizing 2019 data instead.

Mr. Gwyn presented a summary of his research regarding other Ohio communities' determination of their tree fund fees for trees that are not planted as part of a property's development. Previously, City Staff had prepared a summary of City tree planting expenses to assist in determining an appropriate value for a tree replacement Tree Fund Fee associated with the recently enacted tree preservation and protection legislation.

(Continued)

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>MD</u>	<u>8/7/20</u>
		<u>DRE</u>	<u>8/14/20</u>

From 2016 – 2019, Oxford planted 293 street and public trees at a total of expense of \$97,719. The average expense for a tree during this time period was \$333.51. Utilizing an administrative expense of 19.46% (the administrative fee utilized by the Finance Department in Oxford's 2020 refuse and recycling fee schedule), the cost of Oxford having to plant a replacement tree would be \$398.41. From Mr. Gwyn's research, the fees charged by two communities (the Cities of Delaware and Dublin) are based upon the size of the tree removed, at \$100 and \$150 (respectively) per caliber inch. The local Ohio Department of Natural Resources Urban Forester recommends at expense of approximately \$810 per trees to allow for watering and training/maintenance pruning for up to 15 years. The City of Waterville utilizes this approach, with their tree fee being \$850 per tree planted. The City of Westerville utilizes an approach similar to Oxford's previously described cost estimation, with the tree fund fee being \$350. Commissioners liked the transparency and ease of justification presented by Oxford's cost estimate, which also could be easily adjusted for the annual Fee Schedule Ordinance. The Commissioners also thought that an additional 15% surcharge to encourage the developer to plant the trees was appropriate. The Oxford Tree Fund Fee for 2021 would be \$458.18 per tree if planted by Oxford.

Mr. Gwyn proposed the following Motion. Ms. Raghu seconded the Motion

Motion:

The Environmental Commission recommends that the Tree Fund Fee for 2021 be \$458.18 per tree in the upcoming 2021 Fee Schedule. The Tree Fund Fee can be periodically revised based upon average tree planting costs incurred by Oxford, as well annual administrative expenses, and a 15% tree planting encouragement assessment.

The Motion passed unanimously. The Commission instructed Staff to incorporate the Tree Fund Fee into the upcoming 2021 Fee Schedule Ordinance, pending City Council's consideration.

Ms. Raghu informed the Commission that bicycle lanes were added to either side of East Chestnut Street, running approximately between South Campus Avenue to South Patterson Avenue. During a strategic planning session held on Monday, August 3, 2020, it appears that the potential of installation of solar panels at the closed landfill and a program to assist home owners with obtaining solar panels for their private properties were popular with the City Council.

Mr. Ralinovsky informed that Commission that the Parking and Transportation Advisory Board has requested Oxford's street paving plan for 2021 with the intention of exploring expansion of designated bicycle lanes.

Mr. Bracken informed the Commission that the Climate Action Steering Committee had it first meeting. The second meeting of the Steering Committee is on Monday, August 10, 2020.

City Staff updated the Commission regarding on-going monthly emission monitoring of the closed landfill passive vents. The emission monitoring was initiated in an effort to document the accuracy of the USEPA's estimation of 4,764 metric tons of carbon dioxide equivalence (CO₂e) being emitted by the landfill annually (averaging 397 metric tons CO₂e monthly). If the USEPA's estimation were accurate, the closed landfill emissions would account for approximately 36% of the municipal operations GHG emissions (estimated at a total of 13,348 metric tons CO₂e in 2018). Since May 2020 (three months of data), the monitoring data suggests that the total volume of CO₂e emissions for these three months to be approximately 7.6 metric tons CO₂e, or an estimated approximate 30.5 metric tons CO₂e annually (assuming similar emission values for the rest of the year). Staff informed the Commission that the Southwest Ohio Air Quality Agency is currently reviewing the emissions monitoring data to date to ensure its accuracy. The Commission suggested that Oxford have at least one monitoring event conducted by an entity that performs emission monitoring, to permit a comparison of Oxford's monitoring procedures and/or observed values.

Commissioners concluded discussions at 8:25p.m. The next regularly scheduled monthly Commission meeting is to be an online, virtual meeting starting at 7:00 p.m. on September 2, 2020.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: August 18, 2020

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: August 10, 2020

Agenda Title: Oxford Recreation Board Meeting, 08/06/2020

Recommendation: Approve

Attendance: Rec Board: Mike Smith, Kevin Ackley, Craig Bennett, Holli Morrish
OPRD: Casey Wooddell, Deanna Barbour

The Oxford Recreation Board met on Thursday, August 6, 2020 at 11:30am via Zoom. Parks and Recreation Director Casey Wooddell provided an update to the Recreation Board members about a variety of topics including the current status of the TRI Community Center, Oxford Parks and Recreation Department (OPRD) programs and activities, OPRD projects, and the Oxford Aquatic Center. The most recent updates for OPRD programs, activities and facilities can be found at www.cityofoxford.org/OPRD. Mr. Wooddell discussed ideas for Miami Student programming this fall, as well as how to engage Talawanda students during the day and assist with their virtual learning needs in a safe, supervised environment.

Holli Morrish shared updates from Talawanda School District, including information about Talawanda's fall athletics plan at this time.

Craig Bennett and Kevin Ackley shared updates from Miami University about Goggin Ice Center and Mid-America Conference (MAC) athletic changes which were announced. Richard Kammer shared information and ideas about Resident Advisors and potential new programs.

Meeting adjourned at 12:35pm. Next meeting scheduled for Sept. 3, 2020 at 11:30am. It is not yet determined if this will be a virtual meeting or in-person meeting.

Approved By:

Initial Date

Department Head: CDW \ 8/10/2020

City Manager:

DKE \ 8/14/20

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 18, 2020

Service Department
Originating Department

Account Code #: 140.720.xxxxx

Michael Dreisbach
Prepared By

Budgeted Amount: Supp. Budget

August 11, 2020
Date Prepared

Agenda Title:	Purchase of Electronic Mobile Message Boards
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Recommendation:	Approve
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Discussion:

As part of the education campaign to make residents and visitors aware of the City Ordinance requiring facial coverings, the City has been authorized to use federal CARES Act funds for the purchase of solar powered mobile message boards. These boards will be placed on heavily traveled State and Federal routes entering Oxford. The purchased signs will be used in conjunction with similar signs owned by Miami University, Butler County EMA, BCEO, etc...(when available).

Staff has requested funding for these signs in the current Supplemental Budget. Should the City Council approve, the signs will be purchased from All Traffic Solutions utilizing current government pricing under GSA contract GS-07F-6092R. Two signs will be purchased for a total price of \$29,259.76.

These signs are identical to signs owned by Miami and can be controlled using the same system. In addition to mobile messaging, the signs may also be used on construction projects, during public emergencies, and are also radar equipped to remind drivers of their vehicle speed.

This Resolution will authorize the purchase of two trailer mounted, solar powered, mobile message boards from All Traffic Solutions, Inc. at a price not to exceed \$29,259.76.

Approved By:	Department Head: City Manager:	Initial MBD \ 8/11/20 <u>DRE \ 8/14/20</u>	Date 8/11/20 <u>8/14/20</u>
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RESOLUTION NO.

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO TRAILER MOUNTED, SOLAR POWERED, MOBILE MESSAGE BOARDS FROM ALL TRAFFIC SOLUTIONS, INC. UTILIZING CURRENT GOVERNMENT PRICING AT A COST NOT TO EXCEED \$29,259.76.

WHEREAS, as part of the education campaign to make residents and visitors aware of the City Ordinance requiring facial coverings, the City has been authorized to use Federal CARES Act funds for the purchase of solar powered mobile message boards which shall be placed on heavily traveled State and Federal routes entering Oxford; and

WHEREAS, the City Manager and the Service Director recommend City Council authorize the purchase of two trailer mounted, solar powered, mobile message boards from All Traffic Solutions, Inc. utilizing current government pricing at a cost not to exceed \$29,259.76.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the current government pricing for the purchase of two trailer mounted, solar powered, mobile message boards at a cost not to exceed \$29,259.76.

SECTION 2: Council further authorizes the purchase of two trailer mounted, solar powered, mobile message boards at a cost not to exceed \$29,259.76.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)

**Mail Purchase
Orders to:**

3100 Research Dr.
State College, PA
16801

All Traffic Solutions Inc.
12950 Worldgate Dr #310
Herndon, VA 20170
Phone: 814-237-9005
Fax: 814-237-9006
DUNS #: 001225114
Tax ID: 25-1887906
CAGE Code: 34FQ5

Contract:
GSA: GS-07F-6092R

QUOTE Q-52678**DATE:** 08/10/2020**PAGE
NO:
1**

Questions contact:
MANUFACTURER:
All Traffic Solutions

Julie Styskin
(866) 366-6602
x 250
jstyskin@alltrafficsolutions.com

Independent Sales Rep:**BILL TO:**

City of Oxford DPW
15 South College Ave
Oxford OH 45056

SHIP TO:

City of Oxford DPW
15 South College Ave
Oxford OH 45056
Attn: Michael Dreisbach

Billing Contact:

PAYMENT TERMS: Net 30 **CUSTOMER:** City of Oxford DPW **CONTACT:** (513) 839-0029 ext, 0

ITEM NO:	DESCRIPTION:	QTY:	EACH:	EXT. PRICE:
4000745	SpeedAlert 24 Radar Message Sign (RMS); base unit (select mount separately)	2	\$7,707.81	\$15,415.62
4000647	App, Traffic Suite (12mo); Equip Mgmt, Reporting, Image Mgmt, Alerts, Mapping and PremierCare	2	\$1,284.63	\$2,569.26
4000874	All Options Activation: Bluetooth, Traffic Data, Violator Alert, Pictures, (\$3000 Value, requires Traffic or Message Suite)	2	\$0.00	\$0.00
4000173	Trailer, ATS-5 (select power separately)	2	\$2,901.76	\$5,803.52
4000750	App, Mobile User Interface perpetual license (only 1 req'd per account)	1	\$85.64	\$85.64
4000636	Trailer Battery kit for ATS-5, 470Ah deep cycle batteries w/cover, hold down, cables& hdwr (iA24, SA24)	2	\$847.86	\$1,695.72
4000740	Trailer Certificate of Origin	2	\$0.00	\$0.00
4000754	USB cable, 16ft, extra long for trailer or pole	2	\$0.00	\$0.00
4000641	Shipping and Handling Common Carrier	2	\$950.00	\$1,900.00
4100557	hrns, Power cord, iA w/ quick connects for trailer	2	\$0.00	\$0.00
4001626	VZW communications prep	2	\$0.00	\$0.00

4000275	Solar panel, 60W; includes bracket for ATS-5 trailer and harness	2	\$895.00	\$1,790.00
4001299	3 Year Warranty	2	\$0.00	\$0.00

Special Notes:

**SALES
AMOUNT:**

\$29,259.76

SA24 – Combined Radar and message sign – trailer mounted with 60 watt solar assist – all features activated perpetually (Bluetooth – Data and imaging) 1 year of web services (TraffiCloud) to all 6 Apps (Remote Management – Imaging – Data – Alerts, Mapping and Premier Care warranty) - shipping and training. 3- year warranty

**TOTAL
USD:**

\$29,259.76

Duration: This quote is good for 60 days from date of issue.

Shipping Notes: All shipments shall be FOB shipper. Shipping charges shall be additional unless listed on quote.

Taxes: Taxes are not included in quote. Please provide a tax-exempt certificate or sales tax will be applied.

Warranty: Unless otherwise indicated, all products have a one year warranty from date of sale. Warranty extensions are a component of some applications that are available at time of purchase. A Finance Charge of 1.5% per month will be applied to overdue balances. GSA GS-07F-6092R

Authorization: By Signing below, I indicate that my organization does not require a purchase order and I am authorized to commit my organization to this order.

Print Name, Title

Signature

Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance

Originating Department

Council Meeting Of: 8/18/2020

Joe Newlin

Account Code No. #: 428.420.52461

Prepared By

Budgeted Amount: \$428,864

8/13/2020

Date Prepared

Agenda Title: A RESOLUTION AUTHORIZING THE DONATION OF ONE THOUSAND DOLLARS (\$1,000.00) TO OXFORD SENIORS AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS TO ASSIST WITH THE PURCHASE OF A NEW TELEPHONE SYSTEM FOR THE SENIOR CENTER FACILITY.

Recommendation: Approve

Discussion:

BACKGROUND

In May, Mr. Schnabl contacted City Manager Elliott concerning the City's portion of CARES funding possibly being available to assist with the unexpected purchase of a new phone system at the Senior Center. Mr. Schnabl followed up with an email on July 21st to City Manager Elliott. By July 23rd, it was determined that this request could be funded by granting CARES funds the City received on July 16th to the Senior Center.

BASIS FOR DECISION

Following best practices for grant funding from receipts the Federal Government sends to the City, I sent a questionnaire from the Association of Government Accountants (AGA). This questionnaire determines if the recipient is classified as a Subrecipient – A non-federal entity that receives a subaward for the purpose of carrying out part of a federal award. The subaward creates a federal assistance relationship with the subrecipient. Or Contractor - A non-federal entity that receives a contract for the purpose of providing goods and services for the awarding non-federal entities own use. The contract creates a procurement relationship with the contractor.

I also asked Mr. Schnabl to send a letter stating why he believed his request was related to COVID-19. In his response (Exhibit A) he points out that in the Governor's orders issued in March Oxford Seniors remain open as an essential service by the State designation specifically to provide Meals on Wheels and senior transportation. The phone system began to fail in May and was replaced in June. The phone system was an unbudgeted item and was essential to provided services.

That said the recommendation is to ask Council for their support of this donation to the Senior Center using CARES Act funds.

Approved By:

Department Head:

City Manager:

Initial Date

[Signature]
8/13/20
~~8/13/20~~ 8/14/20

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF ONE THOUSAND DOLLARS (\$1,000.00) TO OXFORD SENIORS AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS TO ASSIST WITH THE PURCHASE OF A NEW TELEPHONE SYSTEM FOR THE SENIOR CENTER FACILITY.

WHEREAS, the telephone system at the Oxford Seniors facility has reached the end of its useful life and is in need of replacement; and

WHEREAS, telephone communications are vital to Oxford Seniors continued outreach to Oxford area seniors and for incoming scheduling for state deemed essential transportation services and home delivered meal services which are being provided during the current health crisis; and

WHEREAS, the City Manager and the Finance Director recommend City Council authorize the donation of one thousand dollars (\$1,000.00) to Oxford Seniors as a sub-recipient of CARES Act funds to assist with the purchase of a new telephone system for the senior center facility.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Finance Director and hereby authorizes the donation of one thousand dollars (\$1,000.00) to Oxford Seniors as a sub-recipient of Federal CARES Act funds to assist with the purchase of a new telephone system for the senior center facility.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)



922 TOLLGATE DRIVE
OXFORD, OH 45056

(513) 523-8100 PHONE
(513) 524-3126 FAX

www.oxfordsenior.org

August 6, 2020

Mr. Doug Elliott
City Manager
15 South College Ave
Oxford OH 45056

Dear Mr. Elliott:

I am writing to request special City funding of \$1000 toward the unexpected expense of replacing our agency telephone system at a total cost of \$4176.75.

I had contacted you in May to discuss this possibility, and you had indicated that the City may receive some one-time federal dollars related to addressing the COVID19 situation

While having been closed to the public in March by Governor's orders, Oxford Seniors remains open as an essential service by State designation specifically to provide Meals on Wheels and Senior Transportation. Those active services, and our Supportive Services social work are funded primarily by the federal Older Americans Act, each using the City's annual grant funding as local match on those contracts. Our phone system began failing in May, with loss of incoming lines, and individual telephones not working. After several repair visits, we had no choice but to replace the entire system immediately.

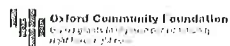
The phone service is necessary for us to schedule rides, take new referrals and resolve client issues. Before the hospital allowed us earlier this month to resume daily meal delivery of hot food they prepared, we were reduced to delivering frozen meals once per week from a Cincinnati caterer, requiring us to call the clients for the wellness check-ins that normally occurs when a daily meal is delivered. We continue to rely on phone service to maintain our required operations.

The new system was installed June 8 and is working well. Thank you for your consideration.

Sincerely,

F. Stephen Schnabl,
Executive Director

cc: Joe Newlin



CREATING COMMUNITY SINCE 1953



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	Law
PREPARED BY:	Ben Mazer, Assistant Law Director
DATE PREPARED:	August 6, 2020
COUNCIL MEETING DATE:	August 18, 2020
AGENDA TITLE:	An Ordinance Prohibiting Mass Gatherings
BUDGETED AMOUNT:	n/a
ACCOUNT CODE:	n/a
RECOMMENDATION:	Adopt as an emergency.

DRE 8/14/20

DISCUSSION:

AS REQUESTED AT THE AUGUST 4, 2020 CITY COUNCIL MEETING.

ORDINANCE NO.

AN ORDINANCE PROHIBITING MASS GATHERINGS OF MORE THAN TEN (10) NON-HOUSEHOLD MEMBERS WITHIN THE CITY OF OXFORD, OHIO, TO LIMIT THE SPREAD OF COVID-19, AND DECLARING AN EMERGENCY.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) reported over 4 million cases of COVID-19 in the United States, resulting in over 156,000 deaths; and

WHEREAS, on March 9, 2020, the Ohio Department of Health announced confirmed cases of COVID-19 in the State of Ohio, creating a dangerous condition that may affect the health, safety, and welfare of the citizens of Ohio; and

WHEREAS, on that same date Governor Mike DeWine declared a state of emergency for the entire State of Ohio to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19; and

WHEREAS, COVID-19 endangers the lives of the citizens and residents of Oxford, creating an emergency to life and public safety and disrupting commerce; and

WHEREAS, the CDC reports that people are most contagious when they are most symptomatic, but the virus is also spread by people who are infected, but asymptomatic; and

WHEREAS, on March 15, 2020, the CDC issued Interim Guidance for mass gatherings or large community events, stating that such events that consist of fifty (50) or more people should be cancelled or postponed; and

WHEREAS, on March 17, 2020, the Ohio Department of Health issued an Amended Director's Order to limit and/or prohibit mass gatherings and the closure of venues in the State of Ohio; and

WHEREAS, on March 22, 2020, under the direction of Ohio Governor, Mike DeWine, Ohio Department of Health Director, Amy Acton, M.D. issued an Order requiring all Ohioans to stay in their homes to prevent the further spread of COVID-19 until April 6, 2020 and the Order was extended until May 1, 2020 and has been since amended on April 30, May 20 and May 22, 2020 to allow businesses to open with the recommendation that facial coverings be worn except in certain circumstances; and

WHEREAS, the Governor and the Ohio Department of Health have issued amended Director's Orders to both protect citizens, residents, and guests of the State of Ohio, all of which are incorporated herein by reference; and

WHEREAS, as businesses have re-opened, more people are traveling throughout the state, and within the City of Oxford; and

WHEREAS, a local and statewide state of emergency continues to exist with limits on mass gatherings and recommendations of social distancing; and

WHEREAS, Miami University (the “University”) announced it will allow students on campus for the Fall semester, which shall include both in person and virtual classes; and

WHEREAS, the return of students to the University will result in a large influx of people from across the country and international students; and

WHEREAS, the University has also informed the City that facial coverings will be required to be worn on University owned properties, including University buildings and facilities; and

WHEREAS, due to the above described statewide emergency there is a continuing need to protect all citizens and residents and guests of the City of Oxford from the risks relating to the COVID-19 pandemic; and

WHEREAS, the CDC recommends wearing facial coverings in public where other physical distancing measures are difficult to maintain to help prevent the spread of COVID-19 from asymptomatic or unknowing carriers to others; and

WHEREAS, on July 14, 2020, the City of Oxford issued an ordinance requiring facial coverings in any public space within the City of Oxford, Ohio, to limit the spread of COVID-19, and declaring an emergency; and

WHEREAS, on July 23, 2020, the Ohio Department of Health issued a facial covering Order mandating that individuals be required to wear facial coverings throughout the State of Ohio; and

WHEREAS, as of August 6, 2020, the Ohio Department of Health has issued an Orange Level alert for Butler County due to the COVID-19 virus, which means there is an increased risk of exposure and spread meaning one should limit one’s activities as much as possible; and

WHEREAS, multiple areas of the United States are experiencing “community spread” of the virus that causes COVID-19. Community spread, defined as the transmission of an illness for which the source is unknown, means that isolation of known areas of infection is no longer enough to control the spread; and

WHEREAS, SARS-CoV-2, the virus that causes COVID-19, has been demonstrated to transmit infection from infected persons when symptomatic, asymptomatic, and pre-symptomatic; and

WHEREAS, mass gatherings, defined as non-household gatherings of greater than ten (10) people, increase the risk of community transmission of the virus COVID-19; and

WHEREAS, after weighing the known information from the COVID-19 virus and considering the guidance and orders from the Ohio Department of Health and Butler County General Health District, City Council concludes that the safety of City of Oxford citizens, residents and guests is best protected by implementing a requirement prohibiting mass gatherings of non-household members, both indoors and outdoors, with mass gatherings defined to mean more than ten (10) individuals, as set forth herein; and

WHEREAS, that for the reasons stated in the preamble hereof, this Ordinance is declared to be an emergency measure and shall take effect at the earliest date permitted by law; now, therefore:

THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS THAT:

SECTION 1: All individuals within the City of Oxford are prohibited from hosting, maintaining or participating in mass gatherings in accordance with the following:

- a. "Mass gatherings" for purposes of this Ordinance, means any social gathering, event or convening that brings together greater than ten (10) non-household persons at the same time, to include both indoor and outdoor gatherings.
- b. "Non-household" for purposes of this Ordinance, means any individuals who do not reside within the same housing unit or dwelling.

SECTION 2: The mandatory prohibition on mass gatherings through this Ordinance does not apply in the following situations:

- a. Normal operations at bus stops or hubs, medical facilities, libraries, shopping malls and centers, or other spaces where fifty (50) or more persons may be in transit.
- b. Typical office environments.
- c. Schools and University classes or officially sanctioned functions.
- d. Factories, warehouses and distribution centers.
- e. Retail or grocery stores where large numbers of people are present, but it is unusual for them to be within arm's length of one another.
- f. Notwithstanding this Ordinance, buildings and venues that traditionally host mass gatherings, whether indoors or outdoors, may continue to be used for community events.

- g. This Ordinance does not apply to and/or excludes members of the media.
- h. This Ordinance does not apply to and/or excludes religious gatherings, gatherings for the purpose of the expression of First Amendment protected speech, weddings and funerals.

SECTION 3: Regardless of whether an event or gathering falls within the definition of mass gathering, all persons are urged to maintain social distancing (approximately six feet away from other people) whenever possible and to continue to wash hands, utilize hand sanitizer and practice proper respiratory etiquette (coughing into elbow, etc.)

SECTION 4: A violation of this Ordinance shall be governed and processed by the provisions set forth in Chapter 507 of the Oxford Code of Codified Ordinances titled: Police Civil Citations. Whoever violates this Ordinance is subject to a civil penalty in the amount of \$500.00 for first time violations and \$1,000.000 for any subsequent violations thereafter.

SECTION 5: For the reasons set forth in the preamble hereof, the Council declares this Ordinance to be an emergency measure which shall take effect at the earliest possible date permitted by law and shall remain in effect during the pendency of State of Ohio Executive Order 2020-01D.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	July 24, 2020
COUNCIL MEETING DATE:	August 4, 2020
AGENDA TITLE:	Amendments to Chapter 137
ACCOUNT CODE NO:	
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 7-28-20 Sam Perry</i>

Background:

For several months, the Oxford Housing Advisory Commission (HAC) discussed the need to reevaluate its role and scope within the City government for addressing housing concerns and policies. The following proposed amendments to Chapter 137 of the Oxford Codified Ordinances are the result of the ongoing discussion among HAC members as well as reflects the recent work session on July 21.

The HAC Chair Sherry Lind and staff recommend approval of the amendments.

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 137 ENTITLED HOUSING ADVISORY COMMISSION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 137 ENTITLED HOUSING ADVISORY COMMISSION.

WHEREAS, Council finds in accordance with Section 137.04 of the Codified Ordinances of the City of Oxford, the City of Oxford Housing Advisory Commission held public meetings on January 20, 2020 and on February 18, 2020 and that during the public meetings did discuss the need to reevaluate its role and scope within the City government for addressing housing concerns and policies and as a result of those discussions, the Housing Advisory Commission recommended repealing Oxford Codified Ordinance Chapter 137 entitled Housing Advisory Commission and adopting new Oxford Codified Ordinance Chapter 137 entitled Housing Advisory Commission.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council accepts the recommendation of the Housing Advisory Commission and hereby repeals Oxford Codified Ordinance Chapter 137 entitled Housing Advisory Commission and adopts new Oxford Codified Ordinance Chapter 1367 entitled Housing Advisory Commission as follows: (additions are bolded and deletions are struck through)

137.01 PURPOSE.

(a) The purpose of the Housing Advisory Commission shall be to foster an environment, through education, research and advocacy, in which all **people desiring residency** in residents of Oxford will have an opportunity to own or rent a home; **further:**

(1) To promote safe and decent shelter for anyone desiring to live in Oxford.

~~(1) (2)~~ To encourage and promote the development and maintenance of moderate to low cost **income** housing that will provide affordable home ownership and rentals in the Oxford community.

~~— (2) To promote a positive living environment that is not set apart from the rest of the community, but is interspersed within various neighborhoods throughout the City. This will dissolve the negative stigma associated with affordable housing and create public awareness.~~

(3) To promote a variation of housing density within neighborhoods to dissolve the negative stigma associated with isolated affordable housing.

~~(3) (4)~~ To assist people in buying first time homes ~~and assist long-term residents. Also as well as~~ provide education to home buyers and the community about the need for moderate to low cost **income** housing.

~~(4) (5)~~ To make recommendations to Council that are thoroughly investigated and supported through appropriate documentation.

~~(5) To monitor and provide assistance to affordable housing developers and providers.~~

137.02 DUTIES.

(a) Take an active role in the administration and updating of ~~the Community Housing Improvement Strategy.~~ **a Comprehensive Housing Plan following each decennial census and every 5 years thereafter.**

(b) Make recommendations to Council for the disbursement of the Affordable Housing Funds and other funds designed for moderate to low cost housing and development.

(c) Work with organization(s) to seek funds for the development, refurbishing, weatherization, and maintenance of moderate and lower cost housing and rentals.

(1) Funds may be sought from State, Federal and other sources.

(2) Funds should be available to provide rental assistance, payment assistance, home improvements, development infrastructure, tax credits and other assistance with affordable housing.

(d) To work with or assist organizations such as Habitat for Humanity, People United for Self-Help, ~~Oxford Advisory Welfare Service~~ **Family Resource Center** and other organizations whose missions are to assist families with **finding**, owning or maintaining adequate housing.

(e) To arrange education programs and financial counseling for families who want to rent or purchases moderate to low cost housing.

(1) This may be provided by community resources that provide financial planning.

(2) Resources may also provide low interest loans to home buyers.

(3) Establish guidelines for families to qualify for moderate to low cost housing assistance and aid in the development of a procedure for families to receive assistance.

(4) Investigate and make recommendations to Council regarding existing planning and development policies and ordinances that pose possible impediments to moderate to low cost housing opportunities.

(5) Investigate the need or value of ~~establishing an Oxford Housing Authority to assist in implementing the programs stated in this chapter.~~ **identifying or establishing a non-governmental entity to assist in implementing the policies stated in this chapter.**

(f) The Commission shall report to Council annually **each January** the status of housing issues in the City of Oxford.

137.03 COMPOSITION AND TERM OF OFFICE.

(a) The Housing Advisory Commission shall be composed of **at least seven and up to nine** members appointed by Council ~~from among Oxford residents.~~ All ~~residents~~ **members** shall have, to the greatest extent practical, interest and proficiency in housing issues.

(1) Two members shall be City Council members. At least one member shall be a member of the ~~Community Improvement Corporation~~ **Planning Commission**. That member may be one of the two City Council members.

(2) At least two members shall be moderate to low income persons.

~~(3) A majority of the members shall reside in the City of Oxford.~~

(3) At least five members shall reside in Oxford or Oxford Township. These members shall be voting members.

(4) Any members not residing in Oxford or Oxford Township shall be ex-officio, non-voting members.

~~(4) The remaining members shall **may** be chosen from the following:~~

(5) Members may be chosen from the following:

A. A member of a housing advocacy group;

B. A member of a minority organization;

C. A **banker or** member of an institution that lends money for housing;

D. A builder, and developer **or property manager** of non-profit housing;

E. A ~~for-profit~~ builder, and developer **or property manager** of **for-profit** housing;

- F. An architect;
- G. A member of a social welfare organization; and
- H. Other groups or individuals that are necessary to provide balanced advice.

~~Upon passage of this chapter, appointments, with the exception of Council members, shall initially be staggered as to length of term with two members for two years, two members for three years, and three members for four years. All Commission members shall thereafter serve for a term of four years without compensation. Council members shall serve per the rules of Council.~~

(5) The City Manager shall serve as an ex-officio member of the Commission.

(6) The City Manager shall appoint administrative staff as a liaison to the Commission. The function will be to support and assist the Commission to the extent resources allow.

(b) Upon passage of this chapter, appointments, with the exception of Council members, shall initially be staggered as to length of term with two members for two years, two members for three years, and three members for four years. All Commission members shall thereafter serve for a term of four years without compensation. Council members shall serve per the rules of Council.

137.04 MEETINGS.

- (a) The Commission shall meet monthly to conduct its business or as requested by Council.
- (b) The Commission shall designate the time and place of the meetings and shall notify the Clerk of Council, City Manager, and staff liaison at least twenty-four hours in advance.
- (c) Five members shall constitute a quorum for the transaction of business.
- (d) All meetings shall comply with the letter and spirit of Ohio R.C. 121.22.

137.05 RULES AND PROCEDURES.

Notwithstanding the requirements established in this chapter, the Commission may establish its own rules and procedures subject to the majority approval of Council.

SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY COUNCILORS BRACKEN & ELLERBE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

8/4/2020

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

8/5/2020

Date Prepared

Agenda Title:	2020 Supplemental Budget #5
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Recommendation:	Approve
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Issue 1

To make adjustment to budget for the disbursement of the remaining funds in the Housing Trust Fund to the Family Resource Center for rental assistance for their customers as suggested by the Housing Advisory Commission at the July 21st work session with Council.

Action Needed:

Revenue Side

N/A

Expense Side

Housing Trust Fund (212)	5,902.42	Disbursement of the remaining funds to the Family Resource Center
Net Effect on Fund Balance/(s)	(5,902.42)	
Increase/(Decrease)		

Issue 2

To make adjustment to budgeted transfer from the General Fund to the Aquatic Center Debt Service Fund due to excess funds being available in the Aquatic Center Capital Improvement Fund available to transfer for debt service.

Action Needed:

Revenue Side

Aquatic Center Debt Service Fund (150)	(308,500.00)	Transfer from General Fund
Aquatic Center Debt Service Fund (150)	102,819.84	Transfer from Aquatic Center Capital Improvement Fund

Expense Side

General Fund (110)	(308,500.00)	Transfer to Aquatic Center Debt Service Fund
Aquatic Center Capital Improvement Fund (145)	102,819.84	Transfer to Aquatic Center Debt Service Fund

Net Effect on Fund Balance/(s)	-
Increase/(Decrease)	

Issue 3

To make adjustment to budgeted personnel services in the General Fund for unbudgeted two retirements

Action Needed:

Revenue Side

N/A

Expense Side

General Fund (110)	67,466.00	Unbudgeted retirement
Net Effect on Fund Balance/(s)	(67,466.00)	
Increase/(Decrease)		

Issue 4

To make adjustment to budget for unbudgeted purchase of mobile electronic message boards, to be used for messaging of the City's face mask ordinance to students & visitors (see Exhibit "A" for more details)

Action Needed:

Revenue Side

Capital Equipment Fund (140)	31,570.00	Reimbursement from Local Coronavirus Relief Fund
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Expense Side

Capital Equipment Fund (140)	31,570.00	Purchase of mobile electronic message boards
------------------------------	-----------	--

Net Effect on Fund Balance/(s)
Increase/(Decrease)

-

Issue 5

To make adjustment to budget for insurance reimbursement and subsequent repair expenditure for squad

Action Needed:

Revenue Side

Fire & EMS Fund (418)	16,766.33	Reimbursement from Insurance company
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Expense Side

Fire & EMS Fund (418)	16,766.33	Repair of vehicle
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Net Effect on Fund Balance/(s)
Increase/(Decrease)

-

Total Net Effect on Fund Balance/(s)
Increase/(Decrease)

(73,368.42)

Breakdown by Fund

General Fund (110)	241,034.00
Capital Equipment Fund (140)	-
Aquatic Center Capital Improvement Fund (145)	(102,819.84)
Aquatic Center Debt Service Fund (150)	(205,680.16)
Housing Trust Fund (212)	(5,902.42)
Fire & EMS Fund (418)	-

Net Effect on Fund Balance/(s)
Increase/(Decrease)

(73,368.42)

Approved By:

Department Head:

City Manager:

	Initials	Date
	/	5/5/20
	/	



The City of Oxford
Department of Service
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

“Exhibit” A”

MEMO

TO: Joe Newlin, Finance Director
CC: Doug Elliott, City Manager
FROM: Michael Dreisbach, Service Director
DATE: July 27, 2020
SUBJECT: SUPPLEMENTAL BUDGET – MOBILE ELECTRONIC MESSAGE BOARDS

Joe,

As part of the City’s effort to fight the coronavirus, we will be placing programmable mobile message boards on all state and federal routes entering the City. These boards will inform the influx of students and visitors of the City’s facial covering ordinance. We will have a need for 5 message boards.

We are requesting funding to purchase two of these boards at a total cost of \$31,570. We will need to rent or borrow (from Miami or Butler Co. EMA) additional boards so all state route entrances into the City promote our message. It is my understanding that the purchase of these boards is an allowable expense for CARES ACT funding reimbursement.

Rental companies have limited numbers of these types of boards available, and they are distributed on a first come – first served basis. We are concerned there will not be a sufficient supply of boards available when we will need them with the influx of new students and visitors to Oxford.

Please let me know if you have questions or need additional information.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3538. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 5 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2020.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease)in revenues be made:

Capital Equipment Fund 140	31,570.00
Fire & EMS Fund 418	16,766.33

SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Housing Trust Fund 212	5,902.42
General Fund 110	(308,500.00)
Aquatic Center Capital Improvement Fund 145	102,819.84
General Fund 110	67,466.00
Capital Equipment Fund 140	31,570.00
Fire & EMS Fund 418	16,766.33

SECTION 4: The following transfer(s) be executed:

Transfer from:

General Fund 110	(308,500.00)
Aquatic Center Capital Improvement Fund 145	102,819.84

Transfer to:

Aquatic Center Debt Service Fund 150	(308,500.00)
Aquatic Center Debt Service Fund 150	102,819.84

SECTION 5: The following increase/(decrease)in revenues be made:

Aquatic Center Debt Service Fund 150	(308,500.00)
Aquatic Center Debt Service Fund 150	102,819.84

SECTION 6: In all other respects, Ordinance No. 3493 shall remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)