

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)