A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, September 4, 2012 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PUBLIC COMMENTS

Mr. Larry Rankin, 610 French Drive, advised he reviewed the capital budget for 2013-2017 and he felt it was a very reasonable type of budget. Mr. Rankin noted compared to the 2013-2016 capital budget it was more prudent and relevant. Mr. Rankin applauded staff and Council for their efforts in starting off the budget process.

Mr. Rankin noted as an Oxford citizen, there were a series of questions about vehicles he would like to ask. Mr. Rankin inquired about the following:

How many vehicles does the City own?
Are we increasing the fleet, maintaining it or decreasing it?
Is the average age of the fleet becoming newer, older, or being maintained?
Is the City consistently reviewing insurance policies for all of the vehicles?
Is the City consistently monitoring fuel usage?
Can the citizens be assured that City owned vehicles are never utilized for personal use?

Mayor Keebler noted prior to purchasing any additional vehicles Council was going to ask for a complete report to include a lot of the issues Mr. Rankin raised. Mayor Keebler advised there would not be any requests for new vehicles until January at the earliest.

Mr. Ari Frum, 5262 Brown Road, Associated Student Government, invited Council to attend the Off Campus Housing Fair which would take place tomorrow from 11:30 a.m. to 4:00 p.m. in the Multi Purpose Room at the Shriver Center.

Ms. Prue Dana, 6314 Fairfield Road, noted she was speaking this evening for herself and as a former City Councilor and Mayor. Ms. Dana commended Council and staff for methodically planning City services including street repairs, cleaning of pumps for safe and sufficient water, cleaning of the City when students leave town and when they returned. Ms. Dana noted she felt City services were top notch for everyone. Ms. Dana advised she was disappointed with Council's budget discussion especially concerning the pool at the Community Park. Ms. Dana noted Council planned for a new pool by designating the Community Park as the location for a new water park during her time on Council and it was still not a part of the budget. Ms. Dana urged Council to consider this community asset as they reconsidered the budget, and urged Council to go about it in the same methodical way of planning that other City services were planned. Ms. Dana urged Council to consider this soon noting it would save money by avoiding a crisis if something happened to the 40 plus year old pool that would shut it down in mid-season and cost a lot of money to repair. Ms. Dana advised by being part of the plan the City considered it would be an asset very important for families, swim teams, and community members. Ms. Dana noted there were citizens who were watching the budget process and looking for when this community asset could come on line.

CONSENT AGENDA

MINUTES

Minutes of the August 21, 2012 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 21, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 14, 2012 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 15, 2012 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. McKeehan moved to approve the consent agenda. Mr. Snyder seconded. The motion passed 7-0-0.

RESOLUTIONS

**RESOLUTION
CONTRACT WITH
R&B CONTRACTORS**

A Resolution No. 4698 accepting the bid and authorizing the City Manager to enter into a contract with Robert McConnell DBA R&B Contractors for the replacement of roof and gutter systems at the Water Treatment Plant and Water Distribution maintenance facilities at a cost of $98,400.00 plus a contingency amount of ten percent (10%) of the contract price or $9,840.00 for a total cost not to exceed $108,240.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the Water Treatment Plant was now 20 years old and was going to need some basic structural maintenance. Mr. Dreisbach noted the roof was showing signs of wear and needed to be replaced. Mr. Dreisbach advised this was a fairly difficult roofing job since there were several dormers and a cupola involved which added to the cost. Mr. Dreisbach noted the contract price included new roofing for the Water Treatment Plant and the Distribution facility behind the plant. Mr. Dreisbach advised the lowest bidder had done work for Miami University and the university was very pleased with their work. Mr. Dreisbach noted staff would like Council's approval to move forward with the project.

There were no questions or comments from the public or from Council.

Mr. Snyder moved to approve Resolution No. 4698. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
GRANT APPLICATION

A Resolution No. 4699 of Council supporting the submission of a grant application for the Ohio Public Works Commission Issue 1 Funds in the amount of $172,500.00 to be used for the reconstruction of the Dana Drive Bridge over Collins Run. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised staff performed annual inspections of the Dana Drive Bridge and recently noticed more significant deterioration of the bridge decking and foundation concrete. Mr. Dreisbach noted it was time to start discussing and planning for the bridge replacement. Mr. Dreisbach advised the proposed Resolution would allow the City to apply for grant funding from the Ohio Public Works Commission whose share of the cost would be $172,500.00 and the City's share would be $77,500.00. Mr. Dreisbach noted should Council approve the Resolution and should the grant be awarded, the project would be constructed in the summer of 2014.

Mr. Bogard advised he was familiar with the bridge and noted there were a lot of tree limbs and debris in the stream and inquired what efforts would be made to control the Collins Run stream. Mr. Dreisbach advised City staff would remove debris from culverts or structures in the right-of-way but much of the area was private property. Mr. Dreisbach noted staff could advise the property owners of the City's curbside yard waste recycling program. Mr. Dreisbach advised some situations were referred to the Code Enforcement Department since the Property Maintenance Code prohibited tossing debris into a creek. Mayor Keebler advised many bridges within cities were the responsibility of the County Engineer and inquired how it was decided whether a bridge was a city or county responsibility. Mr. Dreisbach advised he would have to research each specific structure and noted ODOT had replaced some bridges as being part of a state route. Mr. Dreisbach advised he would research the issue and report back to the City Manager and Council. Ms. Rousmaniere noted there was erosion and storm water damage along Collins Run and inquired if a different bridge would worsen the issue. Mr. Dreisbach advised no and noted a new bridge would release the same amount of water downstream as the current bridge did.

Mr. Blackburn moved to adopt Resolution No. 4699. Mr. Harman seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH ODOT

A Resolution No. 4700 by the Oxford City Council authorizing the City Manager to execute an agreement with the Ohio Department of Transportation for the resurfacing of State Route 732 (Chestnut Street) from Main Street to Oxford-Reily Road. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this project was discussed during the CIP Work Session with Council. Mr. Dreisbach noted the total cost of the project was $431,500.00 and the local share was estimated to be $199,000.00. Mr. Dreisbach noted this was preliminary legislation with ODOT and final legislation would be presented in early 2013 to move forward with the project. Mr. Dreisbach advised letters were sent to property owners regarding the need to repair defective curbs, gutters and sidewalks prior to the commencement of the resurfacing project.

Mr. McKeehan advised east of Locust Street on Chestnut Street nearly every curb and gutter was marked for repairs even though they didn't appear to be damaged. Mr. Dreisbach advised he would need to know the specific area Mr. McKeehan was referring to and noted there were 5 or 6 criteria that would cause the City to mark an area for repair. Mayor Keebler noted there was a process for property owners to contact the City if they disagreed with the need for repairs.

Mr. Snyder moved to adopt Resolution No. 4700. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
TAX LEVIES

A Resolution No. 4701 accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised this was an annual step of the budgeting process and noted the County Budget Commission sent the estimated revenue the City would receive for property taxes and the proposed Resolution would certify that the 3.65% inside millage would generate income for the City which would be incorporated into the budget.

There were no comments from the public or from Council.

Mr. Bogard moved to adopt Resolution No. 4701. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
ZONING TEXT
AMENDMENTS

An Ordinance Repealing Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District, And Section 1149.03, Vehicle Management, And Adopting New Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District, And Section 1149.03, Vehicle Management. (Jung-Han Chen, Community Development Director)

Mr. Chen thanked Alan Kyger, Scott Webb, Kate Rousmaniere and David Prytherch for their efforts as a sub-committee to look at the barriers in the zoning code which prevented redevelopment of apartment complexes and craft language to address those barriers. Mr. Chen discussed his staff report as presented on page 35 of the agenda and highlighted the proposed changes. Mr. Chen advised the proposed 1141.03 would allow multi-buildings in the R-3 District provided the site was less than three acres and noted the current regulations prohibited multi-buildings in any residential district, except in a PUD. Mr. Chen advised the proposed 1143.06 would limit the maximum density to 450 square feet per person for multi-family dwelling units and the minimum lot coverage was changed from 30% to 50% with the caveat that additional coverage may be permissible provided best management practices were utilized to retain storm water run-off on site. Mr. Chen noted the proposed 1149.03 would allow the required number of off street parking spaces to be based on the number of permitted occupants and noted the required number of off street parking spaces could be reduced based on certain criteria such as being close to a Metro Bus Stop. Mr. Chen also noted that "Professional Office" was added as a conditional use in the Multi-Family Residential District.

Mr. Blackburn noted he felt the proposed language was more user-friendly for those who wanted to rebuild houses. Mr. Blackburn advised there would be less need for people to obtain variances from the Zoning Code due to the proposed changes. Mr. Blackburn noted additional parking area on site was beneficial for the redevelopment of the mile square as a garage could be built on a property making it more attractive for families to occupy. Mr. Blackburn thanked the subcommittee for their efforts.

Mr. Bogard advised he believed Southern Knolls was in a R3 District and noted the owner of a duplex could demolish it and build a larger facility. Mr. Chen advised that was true, however it would be based on the lot size. Mr. Bogard noted concern that to some residents that situation would not be welcome in Southern Knolls.

Mayor Keebler noted he was in favor of allowing redevelopment of substandard areas and older apartment complexes and the only way of getting this done was to make it easier for developers. Mayor Keebler noted concern that the regulations for R3 districts in suburban areas would be the same as R3 districts in the urban areas. Mayor Keebler advised it made sense to relax the parking requirements in the urban areas but areas such as Indian Trace and Level 27 needed more parking spaces.

Mr. Chen advised sites over 3 acres had to follow procedures for a PUD and noted the parking regulations were minimum requirements.

Ms. Rousmaniere advised the requirement was 1 car for 2 people and the sub-committee felt this was part of the plan and vision for the City of Oxford. Ms. Rousmaniere noted the sub-committee got a sense from the architect member that the proposed language would not prohibit real estate developers from developing such property. Ms. Rousmaniere noted the lot coverage moved from 35% to 50% if no exemptions were made. Ms. Rousmaniere advised the lot coverage limit would be 50% unless exemptions were made for the availability of alternative modes of transportation and alternative storm water procedures.

Mr. Snyder applauded the subcommittee for their efforts noting they did what Council asked them to do. Mr. Snyder advised he didn't want to see the proposed legislation get voted down and inquired how to eliminate the unintended consequences.

Mayor Keebler advised he felt there needed to be a R3 district that would have differences for the outskirt areas. Mayor Keebler advised he felt Council should adopt the proposed legislation and ask the Planning Commission to look at how to adjust it by creating a R3 suburban district.

Ms. Rousmaniere noted a definition needed to be established for urban and suburban areas.

ORDINANCE
ADOPT CHAPTER 1146

An Ordinance Adopting Oxford Code Of Ordinances Chapter 1146, Neighborhood Conservation Overlay District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was an item the Housing Advisory Commission (HAC) discussed with the Planning Commission and Council and the Planning Commission held a joint work session in January where it was also discussed. Mr. Chen noted during the work session Council felt the proposed legislation should be moved forward. Mr. Chen advised the proposed legislation allowed neighbors to petition to create a conservation district and they would be empowered to preserve the character of their neighborhood. Mr. Chen noted the purpose of the proposed legislation was to limit the rental permit to no more than 2 unrelated persons. Mr. Chen advised neighbors needed to file a petition with 2/3 of the signatures of people living in the boundary they wanted to establish as an overlay district. Mr. Chen noted the petition would come to Council to consider making the zoning map amendment to keep the neighborhood owner occupied.

Mr. Snyder noted Mr. Chen's staff report made a reference to East Lansing and inquired how many overlay districts they had. Mr. Chen advised the procedure had been in place in East Lansing for 10 years but he was unsure exactly how many overlay districts they had.

Mr. Bogard inquired how many single family homes there were in the northern square mile as opposed to rentals. Mr. Chen advised in the mile square there were less than 60 but there were other neighborhoods such as people living on Silvoor Lane that were interested in preserving their neighborhood. Mr. Chen noted existing rentals would not be affected.

Mayor Keebler noted the proposed legislation would not prohibit rentals, it would limit new rentals. Mayor Keebler clarified that it pertained to property owners, not neighbors who signed the petition and it was 60% of the property owners who needed to sign the petition. Mayor Keebler noted the area had to be a natural boundary such as an entire block face to give it the character of a neighborhood. Mayor Keebler advised the proposed legislation came from the HAC and from people who lived in areas such as Wespiser Place, Silvoor Lane and Cedar Lane. Mayor Keebler noted the definition of 2 unrelated people was not too restrictive as it included unmarried couples, foster children and adopted children. Mayor Keebler advised existing rentals could continue and the overlay districts would likely occur more in periphery areas. Mayor Keebler noted the concept had been used successfully in other college communities. Mr. McHugh advised the boundary needed to consist of a minimum of 10 parcels.

Mr. Snyder thanked the HAC for their efforts.

ORDINANCE
SECOND READING

CURB, GUTTER & SIDEWALK
ASSESSMENTS

An Ordinance No. 3185 Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payments Of Assessments. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information since the first reading of the proposed Ordinance.

There were no additional comments from the public or from Council.

Mr. Snyder moved to adopt Ordinance No. 3185. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mayor Keebler advised at the Council Retreat they discussed a different process for awarding community grants for social service agencies. Mayor Keebler noted a subcommittee of Council would work with Mr. Elliott to review the applications for financial assistance and bring recommendations to Council for budgeting purposes. Mayor Keebler advised he would like Ms. Rousmaniere, Mr. Snyder and Mr. McKeehan to serve on the subcommittee and work with Mr. Elliott on the budget recommendations.

Mr. Elliott thanked Mr. Rankin for his comments regarding the City's CIP and noted he and staff felt the proposed CIP was a responsible and lean program.

Mr. Elliott advised he didn't have the information with him to address all of the questions Mr. Rankin raised regarding City vehicles. Mr. Elliott noted his goal was not to increase the fleet but sometimes it was decided on a case by case basis. Mr. Elliott advised a new ambulance was purchased and the old one was retained as a back-up. With regard to the average age of the vehicles, Mr. Elliott noted the City usually stretched the useful life of the vehicles. Mr. Elliott advised he and the Finance Director reviewed insurance policies and bid out the property and casualty insurance to obtain competitive rates. Mr. Elliott noted the Police Chief, Fire Chief and Service Director took their cars home because they could be called back to work any time of the day or night. Mr. Elliott advised there was a take home policy for police cruisers which was in place when he came to the City and staff saw fit to continue that policy for officers living in Oxford Township. Mr. Elliott noted he would provide a list of all vehicles to Mr. Rankin.

Mr. Elliott advised he and Mr. Snyder served on the United Way of Oxford's Board and their 2012 campaign kick-off would take place Friday, September 21, 2012 at the Senior Citizens Center from 8:30 to 10:00 a.m. Mr. Elliott noted Ms. Joan Potter-Sommer, Executive Director of Oxford Seniors would be the speaker.

Mr. Elliott discussed the reallocation of idle transportation earmarks noting the City of Oxford was set to lose funding for the US27 South improvement project. Mr. Elliott advised he contacted ODOT and Representative Derickson and resolved the matter. Mr. Elliott thanked Mr. Derickson and ODOT District 8 for their assistance.

Mr. Elliott discussed the General Assembly's work with regard to Municipal Income Tax reform and noted he would keep Council and the public informed as he learned more about it.

Chief Holzworth thanked everyone involved with the 2012 Pig Roast. Chief Holzworth noted the City was geared up to feed 6,000 people and he estimated approximately 3,500 people were fed which was a lot more than in previous years. Chief Holzworth advised he felt it was a marvelous event and he received positive feedback from those attending. Chief Holzworth thanked Council for their support and for volunteering at the event.

Mayor Keebler advised he and his wife helped at the Pig Roast for about 5 hours that evening and it was a great community event. Mayor Keebler noted he couldn't begin to thank all of the people it took to plan the event, put it on, and make it work smoothly. Mayor Keebler thanked City employees, VCB employees, interns and board members who assisted with the event. Mayor Keebler thanked merchants who supported the event with donations as well as goods and services. Mayor Keebler thanked the Kiwanis for providing and setting up the grills and staying to cook and clean up after the event. Mayor Keebler thanked Miami University for their donations including the use of a refrigerated truck during the event. Mayor Keebler advised John Buchholz did a masterful job of planning the event this year and noted his hope the event would continue for many years to come.

Mr. Blackburn referred to an article in Governing Magazine regarding playgrounds for senior citizens. Mr. Blackburn noted he thought it was a good concept for an aging community like Oxford and it would be an asset for the Community Park.

Ms. Rousmaniere noted the concept of an overlay district was complicated and she served on the commission that designed it. Ms. Rousmaniere advised the goal of the overlay district was to allow owners of property within residential neighborhoods to control the occupancy of the number of unrelated persons that are permitted in single family rental dwellings within their neighborhood. Ms. Rousmaniere advised property owners petitioned to create an overlay district and there were certain regulations in the guidelines. Ms. Rousmaniere noted overlay districts promoted families moving into a neighborhood and not just traditional married families. Ms. Rousmaniere advised the overlay district allowed 2 unrelated persons in a dwelling and there were very liberal provisions for the definition of unrelated persons. Ms. Rousmaniere noted she was glad Council supported the proposed legislation.

Ms. Rousmaniere noted the Masters Games at the Senior Citizens Center would take place September 10th through September 20th. Ms. Rousmaniere advised this was a fundraiser for the Senior Center and encouraged those 50 and over to participate. Ms. Rousmaniere noted an Ice Cream Social and Croquet event would take place on September 17th at the Senior Citizens Center.

Mr. Bogard congratulated Ms. Rousmaniere on the article she wrote regarding bicycle and vehicular safety and courtesies and noted it was published in the Oxford Press. Mr. Bogard noted it was an excellent article and he hoped it would be repeated in the Oxford Press.

Mr. Bogard referred to the weekly report from the Service Department which stated that staff was working with Butler County to provide a household hazardous waste collection day in Oxford. Mr. Bogard inquired where the collection would take place. Mr. Dreisbach advised the collection would take place at the former High School on Chestnut Street and the date was still being decided upon. Mr. Dreisbach advised staff was working with Goodwill Industries to schedule an electronic waste collection day in Oxford at the same location.

Mr. Snyder congratulated Bobbe Burke for another successful Walk About event which was in its 10th year. Mr. Snyder noted the Walk About was a program where community members and Miami students went into the neighborhoods to welcome back students living off campus and provide important and pertinent information to them regarding off campus living. Mr. Snyder noted the event took a lot of work and thanked Ms. Burke for taking on the responsibility.

Mr. McKeehan congratulated John Buchholz for a job well done in preparation for the Pig Roast.

Mr. McKeehan reminded everyone that Oxford was a wonderful community and a great place to live.

ADJOURN

Mr. Bogard moved to adjourn at 8:45 p.m. Mr. Snyder seconded. The motion passed 7-0-0.