A Regular meeting of the Oxford City Council was called to order by Vice Mayor Ken Bogard on Tuesday, September 6, 2011 at 7:00 p.m. Those members present were Kate Currie, Greig Rutherford, Bob Blackburn, John Harman and Kevin McKeehan. Mayor Keebler was excused.

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

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(4) for the purpose of discussing collective bargaining strategies. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Ms. Currie, Mr. Harman, Mr. McKeehan, Mr. Rutherford (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Blackburn moved to return from Executive Session at 7:28 p.m. Mr. Rutherford seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Vice Mayor Bogard called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Currie moved to approve the agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

PROCLAMATION & RECOGNITION
SERGEANT JIM SQUANCE

PROCLAMATION
'JIM SQUANCE DAY'

Vice Mayor Bogard read the Proclamation and presented it to sergeant Squance who would retire on Friday, September 9, 2011 after 33 years of service with the City of Oxford.

Chief Schwein noted as a Chief of 20 years it was difficult to watch people retire who helped to build the department into the kind of department he'd hoped it would be and Jim was one of those people. Chief Schwein noted Jim reached out to the community in so many different ways and he didn't think there was a 'townie' that didn't know Jim or that hadn't participated in a meeting with Jim. Chief Schwein advised he appreciated all of Jim's efforts and in tribute to his service to the City, Chief Schwein presented Jim with an honorary rocking chair. Chief Schwein introduced Ms. Amy Gabbard, Office Manager for the Police Department. Ms. Gabbard introduced Ms. Susan Myer of the Police Advisory Board. Ms. Myer presented Sgt. Squance with a plaque from the citizens of Oxford commending him for his 33 years of service to the City.

Sergeant Jim Squance acknowledged several of his long-time friends on the Police force who were in the audience including Bob Holzworth, Dan Umbstead and Tom Horvath. Sgt. Squance thanked former Police Chief Joe Statum for hiring him in 1978 and Chief Schwein for keeping him on staff all of these years. Sgt. Squance thanked Mr. Elliott and the City Managers before him and City Council for supporting the Police Department. Sgt. Squance noted he moved to Oxford from Cleveland and found his dream job, wife, family and City. Sgt. Squance thanked everyone he was able to serve over the last 33 years.

PROCLAMATION
'HISPANIC HERITAGE MONTH'

Vice Mayor Bogard read the Proclamation and presented it to Ms. Jacque Rioja and Ms. Juanita Tate of Miami University.

Ms. Jacque Rioja, advised it was a pleasure to be in attendance and Ms. Juanita Tate was with her on behalf of Miami University. Ms. Rioja noted she was glad that the City of Oxford always welcomed every celebration and contribution of the Hispanic and Latino communities as Vice Mayor Bogard just mentioned. Ms. Rioja noted she was humbled and honored for being invited to the White House by President Obama's administration over the summer where she met Latinos from around the country to discuss how to move the communities forward together. Ms. Rioja discussed Miami's UniDiversity program which was open to all of the community noting it was successful due to everyone's participation in the workshops and lectures. Ms. Rioja advised the kick-off event was the traditional UniDiversity Festival on Friday, September 16, 2011 in the Uptown Parks and she looked forward to seeing everyone there.

Ms. Juanita Tate, thanked the City for supporting the festival noting it was in its 9th year and the City had always cooperated with the set-up and tear-down of the event. Ms. Tate advised plans were already underway for the 10th anniversary of the festival which would be even bigger and better. Ms. Tate asked everyone to join them in the Uptown Parks on Friday from 5:30 to 9:30 p.m.

PROCLAMATION
'9/11 TRIBUTE'

Vice Mayor Bogard read the Proclamation in tribute to all of the victims of 9/11, and called upon Oxford citizens to observe September 11, 2011, the 10th anniversary of 9/11, as a voluntary Day of Service and Remembrance.

Vice Mayor Bogard recapped the lives lost as follows: 'At the World Trade Center in New York City at 8:46 a.m. flight 11 with 92 aboard crashed into the north tower. At 9:03 a.m. United Airlines flight 175 crashed into the south tower. There were 64 individuals aboard. In total for the towers in New York there were 2980 people including 58 Police Officers unaccounted for and over 200 Firefighters who lost their lives. At the Pentagon at 9:38 a.m. American Airlines flight 77 crashed into the Pentagon. 125 Pentagon employees lost their lives and 64 were on the plane for a total of 189. In Shanksville, PA at 10:06 a.m. flight 93 crashed into the countryside outside of Shanksville, PA and 40 brave souls lost their lives. We'll always remember Todd Beamer's last words "let's roll" as a group of passengers tried to save the plane from crashing and it was probably headed towards the White House. That was a total of 3210 lives lost 9/11.'

Vice Mayor Bogard advised there was a lot of information on 9/11 on the internet if people were interested.

Vice Mayor Bogard advised this Sunday on 9/11 the weather sirens in Oxford would sound at 1:00 p.m. EDT with other cities across the nation in different time zones and asked everyone to take a moment of silence to honor those who lost their lives on this tragic day in US history. Vice Mayor Bogard advised at 5:00 p.m. there would be a 9/11 ceremony on the front lawn at Roudebush Hall where over 3,000 flags would be displayed. Vice Mayor Bogard thanked everyone for their attention.

PUBLIC COMMENTS

Mr. Scott Webb, Board Chair, Oxford Chamber of Commerce, advised the Chamber was pleased to announce they hired Ms. Carol Dockum as their new President. Mr. Webb thanked everyone involved in the selection process including Mayor Keebler, Mr. Elliott and Mr. Kyger who conducted a second round of interviews for the Board. Mr. Webb thanked all of the candidates for the position noting there was a lot of talent within the pool of applicants. Mr. Webb advised he was excited to welcome Ms. Carol Dockum.

Ms. Carol Dockum, President, Oxford Chamber of Commerce, advised she was honored to have been selected for the position of President of the Chamber of Commerce. Ms. Dockum noted she was looking forward to working with the City and City Council to continue the enhancement of Oxford's great business community. Ms. Dockum advised Ms. JoNell Rowan would be missed and she was grateful to have the month of September to work with Ms. Rowan. Ms. Dockum advised she looked forward to making a difference and contribution to the community and thanked Council for the introduction and warm welcome.

Mr. Kevin Livingston, Secretary, Off Camus Affairs, advised the annual Housing Fair would take place tomorrow at the Shriver Center from 11:30 a.m. to 4:00 p.m. allowing students to have a convenient place to find housing and there would be 22 landlords on hand. Mr. Livingston invited everyone to attend the event.

Ms. Bobbe Burke, 722 David Drive, advised she would introduce Ms. Monica Ways, Director of the Office of Community Engagement and Service at Miami University. Ms. Burke noted Ms. Ways would provide a summary of this year's Walk About project. Ms. Burke advised this was the second year the work she did related to the Walk About project for the Office of Off Campus Affairs had been organized under the Office of Community Engagement and Service.

Ms. Monica Ways, Director, Office of Community Engagement and Service, advised as she presented a report about the 2011 Walk About project it was significant to note that Council was completely and intimately familiar with the project. Ms. Ways advised all seven Council members participated in either this year's event or last year's event. Ms. Ways noted she was grateful and appreciative for Council's tangible and visible support as this was a shared community and campus event. Ms. Ways advised since the full-scale Walk About project began in 2003 no year had existed without the participation of the City Manager, Council members, current or former Oxford Mayors, Miami's Dean of Students and the Vice President for Student Affairs. Ms. Ways noted this year 149 participants, 99 adults, 34 students and 16 children made the Walk About happen and the adult participants included long-time and new local residents. Talawanda teachers and staff, Oxford business owners, social service agency representatives, Oxford City staff, Miami University faculty and students, Oxford and Miami University police officers and Miami students, many of whom were Off Campus Senators and ASG Executive Cabinet members. Ms. Ways advised this level of visibility of officials, decision makers and student leaders could not be overstated. Ms. Ways noted using the independent sector's value of a volunteer hour the total Walk About volunteer participation equated to over $6,365 of service rendered to the community this year. Ms. Ways advised this year volunteers spent more than 300 hours and visited 976 student addresses. Ms. Ways noted volunteers who were Mile Square residents saw the event as an opportunity to meet new neighbors and exchange contact information and other repeat volunteers were as committed to educating students as they were to helping make life a little better for non students who continued to live in the Mile Square. Ms. Ways advised this year's participants had been asked for specific feedback about their Walk About experience and she looked forward to receiving their comments. Ms. Ways gave special recognition to Andrew Wilson, Sergeant Jim Squance and Bobbe Burke for their assistance with the project. Ms. Ways noted cookies were provided by the Miami University Parents Council and the event received great support from the Oxford Coalition for a Health Community. Ms. Ways gave special thanks to the local children who participated and helped to remind students they were a part of but not the only piece of this vibrant community. Ms. Ways thanked City staff and volunteers who continued to lend their support for Walk About which was all about the entire community of City and campus coming together for a common cause to welcome and inform the student citizenry.

Vice Mayor Bogard thanked Ms. Ways for her report and noted the Walk About event was an enriching experience for Council members and all of the participants who communicated important information to the students.

CONSENT AGENDA

Ms. Currie requested removal of item A. Minutes.

MINUTES

Minutes of the August 23, 2011 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 30, 2011 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTIONS

RESOLUTION
SALVAGE VEHICLES

A Resolution No. 4625 authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (Steve Schwein, Police Chief)

RESOLUTION
ODOT PROJECT

A Resolution No. 4626 authorizing the City Manager to sign Preliminary Consent Legislation and other contracts with the Ohio Department of Transportation in connection with resurfacing parts of US-27 inside the corporate limits at no cost to the City of Oxford. (Mike Dreisbach, Service Director)

Ms. Currie moved to approve the consent agenda. Mr. Harman seconded. The motion passed 6-0-0.

MINUTES

Minutes of the August 16, 2011 City Council Meeting. (Mary Ann Eaton)

Ms. Currie referred to page 12 of the agenda, paragraph 5, line 2 and requested the sentence be changed to read '*out* of town land lords'.

Ms. Currie moved to approve the Minutes as corrected. Mr. Harman seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION
PRE-ANNEXATION
AGREEMENT

A Resolution No. 4627 authorizing the City Manager to enter into a pre-annexation agreement with Joanne Pelly Means, Trust for land in the Township of Oxford, Butler County, Ohio to be annexed into the City of Oxford, Butler County, Ohio, subject to the conditions stipulated in the pre-annexation agreement. (Alan Kyger, Economic Development Director)

Mr. Kyger advised staff was moving forward with the annexation of the Miami Heritage Tech Park property and noted Council adopted a Resolution over a year ago supporting the project. Mr. Kyger advised the pre-annexation agreement was standard except for the allowance of crop farming on a portion of the property until it was developed and that it be zoned Office and Light Industrial (OI) which was the equivalent of the current Butler County Zoning designation.

Ms. Currie moved to adopt Resolution No. 4627. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
PRINCIPAL FORGIVENESS
FINANCING (GRANT)

A Resolution No. 4628 authorizing the City Manager to apply for "Principal Forgiveness Financing" (grant) in the amount of $3,121,500 through the State of Ohio's Water Pollution Control Loan Fund for the rehabilitation of the primary digester and other associated improvements at the City's Wastewater Treatment Plant. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this project was discussed during the five Year Capital Improvement Plan Work Session. Mr. Dreisbach noted there was an opportunity to apply for the grant and although the City was not likely to receive it, staff needed Council's approval to apply for it to possibly get some relief for the rate payers.

All of Council was in favor of the Resolution.

Mr. McKeehan moved to adopt Resolution No. 4628. Mr. Rutherford seconded. The motion passed 6-0-0.

RESOLUTION
REHAB COLLEGE AVENUE

A Resolution No. 4629 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 funds in the amount of $395,000.00 to be used for the rehabilitation of College Avenue between Spring Street and High Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach noted Council was aware that another block of High Street was scheduled for rehabilitation the summer of 2012. Mr. Dreisbach advised staff was proposing to rehabilitate the brick portion of College Avenue from Spring Street to High Street and noted there was an opportunity to apply for a grant in the amount of $395,000 with a local match of $105,000. Mr. Dreisbach advised the City was very likely to receive this grant and if successful the project would begin in the summer of 2013. Mr. Dreisbach noted staff needed Council's permission and approval to apply for the grant.

Mr. Blackburn inquired if there would be two separate contractors. Mr. Dreisbach advised there would be two separate contracts but it was too early to know if there would be two separate contractors and reminded Council that the two projects were scheduled a year apart. Mr. Dreisbach advised a lot of curb, gutter and sidewalk rehabilitation would need to be done in advance of the College Avenue project.

Mr. Rutherford noted his feeling people would appreciate what would transpire because of the work done in front of the Community Arts Center. Mr. Rutherford inquired if any consideration was given to widening College Avenue in conjunction with the rehabilitation project. Mr. Dreisbach advised staff discussed the issue and it was too costly and the bricks were too scarce. Mr. Rutherford inquired if a portion on the road between Spring Street and High Street should become asphalt to reserve some of the bricks. Mr. Dreisbach advised staff felt it was important to the character of the community to retain the brick roadway for all three blocks.

Ms. Currie moved to adopt Resolution No. 4629. Mr. Harman seconded. The motion passed 6-0-0.

RESOLUTION
FACT FINDER'S REPORT

A Resolution No. 4630 accepting/rejecting the Fact Finder's Report and Recommendations issued by Mitch B. Goldberg, Fact Finder on September 2, 2011 in the matter of the collective bargaining agreement between the City of Oxford and the Oxford Police Sergeants and Lieutenants F.O.P. Lodge 38. (Doug Elliott, City Manager)

Ms. Currie moved to amend the Resolution by striking the word 'rejected' in the opening paragraph and striking the words 'rejects' and 'rejected' in paragraph two and striking the words 'not accepted' in section 3. Mr. Blackburn seconded. The motion passed 6-0-0.

Mr. Elliott advised there was one unresolved union contract which was with the Police Supervisors. Mr. Elliott noted a Fact Finding hearing took place on August 3, 2011 and staff received the Fact Finders report on September 2, 2011. Mr. Elliott advised there were 8 unresolved issues and the Fact Finder recommended no changes to each unresolved issue except for wages. Mr. Elliott noted the City's position was a 0% increase for 2011, 2% for 2012 and 2% for 2013 in keeping with the other union contracts and the union asked for 2% each of the three years. Mr. Elliott advised the Fact Finder recommended a 2% increase retroactive to July 1, 2011, 2% for 2012 and 2% for 2013. Mr. Elliott noted staff was recommending acceptance of the Fact Finder's Report.

Mr. McKeehan thanked Mr. Elliott, Chief Schwein, Mr. McHugh and Ms. Heck for their efforts and noted his hope staff was close to resolving the matter.

Ms. Currie moved to adopt Resolution No. 4630 as amended. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTION
TAX LEVIES

A Resolution No. 4631 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 the City submitted its tax budget to the County Auditor in July and the Auditor reviewed verified the tax rate. Mr. Newlin noted the City should receive $930,000 next year in property tax based on the 3.65 mill rate which was $20,000 to $30,000 less than the prior year.

Vice Mayor Bogard inquired how long the rate has been 3.65 and Mr. Newlin advised he would have to research the issue.

Mr McKeehan moved to adopt Resolution No. 4631. Ms. Currie seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

None.

ORDINANCES
SECOND READING

None.

ANNOUNCEMENTS

Mr. Elliott reminded the public that on 9/11 the weather sirens would sound in remembrance of those who lost their lives on 9/11/01 and it would have nothing to do with a tornado warning.

Mr. Elliott advised he and Mr. Dreisbach were pleased to bring forth the legislation to rehabilitate the brick work on College Avenue noting they felt strongly it added to the character of the community, the brick lasted a long time and it slowed the cars down. Mr. Elliott noted this would be the 4th project of this kind if the City was successful in obtaining the funds and congratulated Mr. Dreisbach and his staff for pursuing the funding.

Mr. Elliott advised an agreement was reached between the City and Glenwood Energy with respect to the $80.00 pressure testing fee.

Mr. Elliott noted an Ordinance would come forward at the next meeting to amend the recently adopted Gas Rate Ordinance which would allow Glenwood Energy to begin charging the new fee. Mr. Elliott advised Glenwood Energy would begin to refund fees collected for the pressure testing prior to the Ordinance being amended.

Ms. Brahier advised the municipal pool was closed for the season and everyone had a fun and safe summer.

Mr. Kyger advised he was contacted by a business owner who noted concern that as the City rolled out the 'no parking' from 4:00 a.m. to 5:30 a.m. some Uptown employees might not be able to leave their parking space prior to receiving a ticket. Mr. Kyger noted staff may need to provide suggestions for alternate parking spaces for those affected by the new legislation.

Mr. Blackburn encouraged everyone to attend the UniDiversity Festival in the Uptown Parks on Friday, September 16, 2011.

Mr. Harman advised a fundraiser for the community food pantry would take place tomorrow at Kona Bistro from 6-10 p.m. Mr. Harman noted government funding for local food pantries had been greatly reduced and they relied on contributions to make up the difference.

Mr. Harman thanked Bobbe Burke and Monica Ways for their efforts in coordinating the Walk About event. Mr. Harman noted they accomplished a logistical masterpiece and advised it was incredibly well organized. Mr. Harman noted his hope even more volunteers would participate next year.

Ms. Currie thanked the Community Arts Center for hosting a wonderfully fun Art Parade last week Uptown. Ms. Currie noted she was happy to hear that President Hodge declared this the year of the arts at Miami University. Ms. Currie noted her hope there would be a lot more wonderful community art events in the year to come.

Mr. Rutherford advised he was impressed by the brick work that had been done and looked forward to the restoration of College Avenue. Mr. Rutherford noted discussions took place prior to Mr. Elliott being City Manager about the extension of brick roadway from Poplar Street to Campus Avenue and the inclusion of diagonal parking on one or both sides of the road. Mr. Rutherford inquired what would happen in 2014 and encouraged Council to think about the extension of brick roadway from Poplar to Campus so the next Council could make a decision regarding the issue and give Mr. Dreisbach the go ahead to seek funding.

Mr. McKeehan agreed with Mr. Rutherford regarding the restoration and extension of the brick roadways.

Vice Mayor Bogard advised if the City was flush with money in 5-6 years Council might want to consider those options. Vice Mayor Bogard noted there were also streetscape plans from College Avenue to Campus Avenue. Vice Mayor Bogard advised those were visions and projects he hoped could be accomplished in future years.

ADJOURN

Ms. Currie moved to adjourn at 8:30 p.m. Mr. Harman seconded. The motion passed 6-0-0.