

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, September 1, 2015 at 7:00 p.m. Those members present were Bob Blackburn, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard. Richard Keebler was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Acting Community Development Director; Ms. Candi Turpin, Human Resources Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director and Ms. Kim Newton, Acting Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Southard moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (3) for the purpose of discussing pending litigation. Mr. Blackburn seconded. The motion passed by the following roll call:

AYE: Ms. Southard, Mr. Snyder, Mr. Smith, Mr. Blackburn, Ms. Rousmaniere
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Smith moved to return from Executive Session at 7:40 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Smith moved to approve the agenda. Ms. Rousmaniere seconded. The motion passed 6-0-0.

PROCLAMATION **'PROSTATE CANCER** **AWARENESS MONTH'**

Mayor McKeehan read the Proclamation and advised it meant a lot to him personally noting he lost his father to prostate cancer and his father-in-law suffered from the disease as well as many friends.

PROCLAMATION
'CHILDHOOD CANCER
AWARENESS MONTH'

Mayor McKeehan read the Proclamation and advised he was presenting this to his good friends and Oxford residents John and Kimberly Perkins and their daughter Mary who is a childhood cancer survivor.

Ms. Mary Perkins, noted she was honored and thanked Council for the Proclamation.

Mr. John Perkins, thanked the Mayor and Council for recognizing childhood cancer noting it was something they have been dealing with daily for the last eight (8) years. Mr. Perkins advised Mary was diagnosed with brain cancer at the age of two and a half (2 ½) and has gone through several chemotherapy and radiation treatments and has suffered from seizures as a result of the treatments which has required several surgeries to relieve the seizures. Mr. Perkins advised it is a disease that touches families deeply and noted he appreciated the awareness and recognition from the Mayor and City Council.

PRESENTATION
FAMILY RESOURCE CENTER

Ms. Diane Ruther-Vierling Director of the Family Resource Center thanked the City for their funding support noting the City was a major funding source and together with the United Way provided over \$100,000 to the Center each year. Ms. Ruther-Vierling noted she would share information about new initiatives at the center that Council may or may not have heard about.

Ms. Ruther-Vierling presented a PowerPoint and advised the Family Resource Center (FRC) provided garden education to area children who for the most part thought food came from a store and did not know it grew in the ground. Ms. Ruther-Vierling noted the children were amazed to dig in the garden each year to find potatoes and carrots.

Ms. Ruther-Vierling advised Oxford Works was a key program at the center which was an employment support program that provided 30 hours of training to clients on soft skills such as attitude, behavior, getting to work on time and how to dress for work. Ms. Ruther-Vierling noted the FRC was trying to promote self sufficiency through employment with this program. Ms. Ruther-Vierling advised clients filled out an interest form, they were interviewed and had to pass a drug screen and then they could enter the program. Ms. Ruther-Vierling noted while searching for a job the FRC provided clients with gas vouchers and bus tokens and advised 31 clients had gone through the program since 2013 and 26 of the clients had jobs today. Ms. Ruther-Vierling advised some of those clients had been able to buy a car locally or a home and they were now contributing members of the community.

Ms. Ruther-Vierling noted the Thrift Store had revenue of almost \$49,000 in 2014 and 469 households donated clothes, household items and furniture. Ms. Ruther-Vierling advised those numbers did not include ShareFest and items they could not use were sent to the Salvation Army.

Ms. Ruther-Vierling noted the center's Emergency Financial Assistance Program which was one of the programs the City helped fund assisted 30 families who had eviction notices and would have been evicted without assistance. Ms. Ruther-Vierling advised the FRC provided other households with rent or utility assistance. Ms. Ruther-Vierling noted 106 of the 153 families they helped were new to the FRC so they were not seeing the same clients year after year.

Ms. Ruther-Vierling discussed the Financial Coaching Program noting 26 clients had gone through the program and for some it was the first time they wrote down all of their expenses and compared them to their income. Ms. Ruther-Vierling advised the clients worked with a financial coach to see how to get those numbers more in sync such as by getting another job, getting a part-time job, less expensive housing or quitting smoking. Ms. Ruther-Vierling noted 6 of those clients were working on repairing their credit so they could be eligible for Habitat housing.

Ms. Ruther-Vierling advised the Thrift Store at the FRC received a \$40,000 grant from the Greater Cincinnati Foundation which would be used to relocate the store to the front building. Ms. Ruther-Vierling advised this would double the size of the store and the tentative remodel was scheduled to begin October 1st. Ms. Ruther-Vierling noted the social service staff would move into the second building.

Ms. Ruther-Vierling discussed the Oxford Homeless Alliance group who had been meeting for the last two years and consisted of several local non-profit groups. Ms. Ruther-Vierling advised there was a homeless problem in Oxford and noted some families in the Talawanda School District were sleeping in their cars or living in a hotel. Ms. Ruther-Vierling advised as soon as the group raised \$4,500 they would assist their first family by housing them for one year and provide them the services they needed to get on their feet and become contributing members of the community.

Ms. Ruther-Vierling noted the Oxford Works Program would move to an online model and the FRC would partner with Delta Sigma Pi which was a business fraternity at Miami University. Ms. Ruther-Vierling advised the fraternity would provide support and mentoring for the FRC clients.

Ms. Ruther-Vierling thanked Council for their time and offered to answer any questions.

Mayor McKeehan thanked Ms. Ruther-Vierling noting Council appreciated the efforts of the Family Resource Center.

NOTICE TO LEGISLATIVE AUTHORITY

Transfer permit from Wild Bistro, Inc. DBA Wild Bistro 37 E. High Street Oxford, Ohio 45056 to Miami King, Inc. DBA Wild Bistro 37 E. High Street Oxford, Ohio 45056.

Mr. Kyger advised Mr. and Ms. Zhen had owned and operated Wild Bistro since 2008 and in 2010 they obtained a D5 liquor license. Mr. Kyger noted the permit was in Mr. Zhen's name under Wild Bistro Inc. and now it was in Mrs. Zhen's name under Miami King Inc.

Mayor McKeehan inquired if there were any alcohol issues at the establishment and Mr. Kyger advised no.

Mr. Snyder moved to accept the notice without comment. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Pamela Ray, 49 Lakeside Drive, Hamilton, advised she was a cab driver in Oxford for Fast Taxi and noted there were several taxi companies in Oxford. Ms. Ray advised Oxford Taxi had been in Oxford for over 5 years. Ms. Ray noted in those 5 years Oxford Taxi never had the same colored vans or commercial insurance until 8 months ago, it had always been self contracted just like the other companies. Ms. Ray advised Oxford Taxi wanted to put all the other taxi companies out of Oxford and she and her co-workers wanted to bring the matter to Council's attention. Ms. Ray noted 1 company and 3 vans could not handle 25,000 students and she and her co-workers did not want to be put out of Oxford as they enjoyed their jobs. Mayor McKeehan inquired how Oxford Taxi was going to put other taxi companies out of Oxford. Ms. Ray indicated Oxford Taxi was going to approach Council and have all the other companies put out of Oxford. Mayor McKeehan advised Oxford Taxi could not do that and they had not approached Council. Mr. Snyder inquired if all of the drivers were registered with the City and Ms. Ray advised yes. Mr. Elliott advised he signed off on all of the taxi licenses the City encouraged competition. Mr. Elliott noted the Ordinance was from the 1960s and staff was looking at updating the Ordinance by the end of the year. Ms. Southard inquired if Council could conclude that the threats were meaningless and Mr. Elliott advised he had not heard of any threats. Mayor McKeehan thanked Ms. Ray for her comments.

Ms. Kathleen Zien, 6060 Joseph Drive, read the following (in part) into the record: 'I understand there is consideration pending for revisiting the Oxford Zoning Code. Whether dollars are budgeted for personnel to do this sometime in the future, sometime in the future does not help Planning Commission or Council and other review boards now when it's obvious we need it and are long over-due. We can't afford to have that big can kicked a year down the road. It's a promise that's a good sound bite but it doesn't help you now or a week or a month from now when a bully applicant may be in chambers. By taking the all or nothing approach to revisit the entire Zoning Code little may get done, perhaps not effective and certainly not soon enough to avoid disasters in applications or zoning. I suggest you tackle code as issues come up, as you see failures in the text, as you find our zoning doesn't support what Oxford wants to see happen. If you have to mentally wrestle a 3" binder of text in mass it won't get done, or it will get done poorly, or gets put off in perpetuity. Forget the projection of waiting for the next Council to be seated. Poorly written code restricts intended use despite hundreds of impressive pages. If vaguely written, open ended, or open to misinterpretation the bad guys can and have used it to their advantage. It's too much to review, oversee and amend at one time. It's a monumental task and a huge bite makes it unsavory to even begin. No Council, committee or staff would want to be assigned the overwhelming task of reviewing, updating or modifying the entire zoning code in one fell swoop. Although a total review is a nice pipe dream, if you confront a poorly worded code when you see errors, correct them when found and make appropriate revisions, we might have a code that works as intended.'

When our most recent zoning code was drafted, authors didn't think the word 'limited' could be misinterpreted and so skewed by our City Manager and Mayor that 94% duplexes could be synonymous with limited use for R2A Single and Two-Family Residential. That's an unreasonable interpretation even to a non-lawyer. Most of you know from your professional and university lives not much good comes out of waiting for a committee to work. For the Planning Commission, Council and the Board of Zoning Appeals it isn't until the true developer does an end run around the code and sees the giant cracks in it that you realize how poorly it's written in sections. You've been out foxed too many times. If you don't work on sections of the code even a few paragraphs at a time, not the whole thing, as needed, with some urgency, you'll be taken advantage of sooner than later. Some of you noted you'd been burned recently by developers and applicants with attorneys that read between the lines better than our Law Director. If you fail to fix the code the applicants won't be coming to the Planning Commission or Council with a match to burn you but a torch. Unfortunately it doesn't seem we have legal counsel that can successfully steer the City out of the pitfalls. I suggest you do it now whether changes can be introduced by resolution or ordinance it's better to do it one at a time as found, as needed when you've learned first hand it's ambiguous or isn't working. Putting code revisions on a future to-do list rationalizing we'll do it all at once is an approach that's already bitten you. Take small bites of the code. It must be done now. It's already too late.'

Mayor McKeehan advised changes were constantly made to the Zoning Code and the Planning Commission and Council did take bits and pieces of it at a time and Ms. Zien knew that. Mayor McKeehan noted he was saddened that Ms. Zien made those sort of comments.

CONSENT AGENDA

MINUTES

Minutes of the August 18, 2015 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 20, 2015 City Council CIP Work Session. (Doug Elliott, City Manager)

REPORTS

Report regarding the August 11, 2015 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 26, 2015 Civil Service Commission Meeting. (Candi Turpin, Human Resources Director)

Mr. Snyder moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **OPWC GRANT**

A Resolution No. 4928 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 funds in the amount of \$331,800.00 to be used for the realignment of Collins Run Road with Main Street and the installation of traffic signalization at the intersection of Main Street and Chestnut Street and the intersection of Campus Avenue and Chestnut Street. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the City continued to see a lot of pressures on Chestnut Street particularly during the afternoon rush hour. Mr. Dreisbach noted several agencies used the Collins Run entrance at Chestnut street including two police departments, Talawanda school buses and the Butler County Regional Transit Authority buses. Mr. Dreisbach advised now there was a new Miami University parking lot at the former high school site as well. Mr. Dreisbach noted staff had been exploring ways to improve traffic safety and improve moving the volume of traffic in the area. Mr. Dreisbach advised before Council this evening was a grant application opportunity and staff was proposing to re-align Collins Run Road with Main Street and add signalization at the intersections of Main Street and Chestnut Street and Campus Avenue and Chestnut Street. Mr. Dreisbach noted the estimated cost of the proposed project was \$420,000 and if the grant was awarded the local share would be \$331,800. Mr. Dreisbach advised staff was asking for Council's authorization to apply for the grant, and if awarded, and accepted by Council construction would begin the summer of 2017.

Mr. Snyder inquired how Mr. Dreisbach felt the City would do in the competitive process for the grant. Mr. Dreisbach advised he felt the City's application would score very highly and that the project would be funded. Mr. Snyder inquired if there was a reason why the project was being considered at this point in time. Mr. Dreisbach advised he and his staff were hearing about more difficulties with buses trying to exit onto Chestnut Street twice a day. Mr. Dreisbach noted an off-set intersection was never an ideal situation and combined with the railroad on both Main Street and Chestnut Street it was a tough intersection.

Ms. Southard noted this was clearly essential for the safety of Oxford citizens and she felt it was a good plan.

Ms. Rousmaniere inquired if the City was obligated to notify local residents about the installation of traffic signals and Mr. Dreisbach advised no, it was City Council's prerogative.

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

Mr. Smith inquired if the owner of 1 W. Chestnut Street had been approached about the City acquiring the property and Mr. Dreisbach advised yes.

Ms. Southard inquired what the time-table was for the proposed project. Mr. Dreisbach advised engineering would occur next summer, bids would be advertised in October of 2016 and construction would begin the summer of 2017.

Mr. Smith moved to adopt Resolution No. 4928. Mr. Snyder seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3286. Supplemental Budget Ordinance Number 5 To Make Supplemental Appropriations For Fiscal Year 2015. (Joe Newlin, Finance Director)

Mr. Newlin referred to page 30 of the agenda and discussed the budget adjustments noting \$72,000 was deposited with the City by New Village Construction for the traffic light installation on Locust Street as well as miscellaneous right-of-way and handicap ramps. Mr. Newlin noted once those projects were complete the developer would be refunded. Mayor McKeehan noted this had to do with the redevelopment of the former Wal-Mart site.

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

ORDINANCES
SECOND READING

ORDINANCE
EASEMENTS

An Ordinance No. 3326 Authorizing The City Manager To Grant An Easement For Road Purposes In 0.5573 Acres Of Right Of Way To The Butler County Board Of Commissioners And Authorizing The City Manager To Grant Temporary Easements In 0.0563 Acres Of Right Of Way And 0.0975 Acres Of Right Of Way To The Butler County Board Of Commissioners To Allow For The Completion Of The Bonham Road Bridge Replacement Project Over Four Mile Creek Project#BUT-TR58-0.39, PID NO. 90755, Parcel #3, 3T1 & 3T2 In Oxford, Ohio And Waiving The Right To Receive Just Compensation. (Mike Dreisbach, Service Director)

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

Mayor McKeehan noted this project had been on Council's agenda in some way, shape or form for four years.

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

Mr. Snyder moved to adopt Ordinance No. 3326. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Ms. Rousmaniere, Mr. Blackburn, Mr. Smith, Mr. Snyder, Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
2016 SALARY ORDINANCE

An Ordinance No. 3327 Establishing Salaries And Certain Benefits For Salaried And Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2016 Through December 31, 2016. (Candi Turpin, Human Resources Director)

Ms. Turpin referred to page 56 of the agenda and noted after further review it was determined the City employed 4 part-time Public Safety Assistants not 3.

Mr. Snyder inquired if that number was reflected in the Ordinance and Ms. Turpin advised yes.

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

Mr. Snyder moved to adopt Ordinance No. 3327. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Blackburn, Ms. Rousmaniere, Ms. Southard, Mr. Snyder, Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted he served on the United Way Board and their Unsung Hero's event took place last week. Mr. Elliott advised it was enjoyable to hear the nominations and how the nominees contributed to the community. Mr. Elliott noted this was the 3rd annual event and President Hodge and Mrs. Hodge were honored for their service to the community through the United Way.

Mr. Elliott advised he participated in the Walk-About event again this year and he always enjoyed being paired with a Miami student to share conservation and get to know the neighborhoods. Mr. Elliott noted the Walk-about event gave community members a chance to say hello to students and welcome them back to campus.

Mr. Elliott advised the Pig Roast was another successful event this year and commended John Buchholz and all of the volunteers for their efforts in making this a wonderful community event.

Mr. Kyger referred to the comments made about taxi cabs in Oxford and advised the City did not recommend a particular business to perform the vehicle inspections. Mr. Kyger noted he met with Officer Carlson today who oversees taxi operations in Oxford and they reviewed the current ordinance which was written in 1961. Mr. Kyger advised the ordinance was outdated with regard to items such as liability coverages and they would be looking at updating the ordinance. Mr. Kyger noted the Police Department felt taxi service was needed in Oxford and the number of DUIs and vandalism reports had decreased with the increase of taxi cabs. Ms. Rousmaniere inquired how many cab companies were operating in Oxford and Mr. Kyger advised 7 with approximately 50 vehicles.

Ms. Rousmaniere commended Mr. Ben Wright from Miami University for his efforts in making the Walk-About a fantastic event this year.

Ms. Southard commended John Buchholz for his efforts in making the Pig Roast so successful and for reaching out to Muslim and Jewish students to assure them other things were available besides pork. Ms. Southard advised the event was not all about pork, it was about people and community.

Ms. Southard noted Council approved a salary and benefit ordinance this evening for full-time and part-time City employees. Ms. Southard advised the Mayor and Council were paid by the City but were elected officials and not included in the ordinance which was appropriate. Ms. Southard noted Council was concerned about the relationship between politics and money and she felt it was important we didn't create a situation where people could only serve on City Council because they could afford to. Ms. Southard advised Council did not want to prevent people from serving on City Council because they could not afford to. Ms. Southard noted she felt Council should discuss salaries for City Council and advised the public may not realize what Council members did, what the Mayor did and how much work was involved in being the Mayor. Ms. Southard noted the Mayor conducted weddings, officiated at various events and had many official duties. Ms. Southard advised she felt Council should consider the issue and brought it up for discussion. Ms. Rousmaniere noted Oxford City Council members earned \$3,200 per year and the Mayor earned \$3,800 per year. Ms. Rousmaniere advised Mr. Elliott provided a chart of Council salaries for neighboring cities and their populations and Oxford was comparatively the lowest paid of the local municipalities. Ms. Rousmaniere asked Mr. Elliott to explain how the process worked. Mr. Elliott advised it was in Council members hands to decide what the pay of Council members should be. Mr. Elliott noted if Council came to some agreement and a Council member wanted to sponsor legislation staff would draft it. Mr. Elliott advised the last time Council raised their salary was in 2000. Mr. Elliott noted if legislation was adopted before November 23, 2015 it would only affect newly elected or re-elected Council members. Mr. Snyder advised he did not see a problem and he was not sure what Council was trying to solve. Mr. Snyder noted looking at the chart he did not see where Oxford was out of line. Mayor McKeehan noted the chart did not support paying Oxford Council members a whole lot more. Mayor McKeehan advised he remembered Ms. Currie saying that Council's salary did not cover her child-care expenses. Ms. Southard noted if this issue came up every 15 years or more Council should be preparing for the future and should increase the salary every 15 or 20 years.

Ms. Southard advised Social Security and Medicare credits also needed to be considered. Mr. Snyder noted if someone was in it for the money he was not sure they should run for public office and Ms. Southard agreed. Ms. Rousmaniere advised this was an election year and three people were running for three positions. Ms. Rousmaniere noted as an educator she was used to people saying you shouldn't be in the business for the money and now there was a shortage of teachers. Ms. Rousmaniere advised money did play a part and if Council wanted to make it a job people were interested in running for perhaps it needed to be more attractive. Mayor McKeehan noted he was on the fence and could see both sides. Mayor McKeehan reiterated it had been 15 years since the last pay increase but he could not advocate a significant raise in pay.

Mr. Blackburn noted the Pig Roast was good, the Walk-About was good, the students were back and cabs were all over town.

Mayor McKeehan advised the Pig Roast was fantastic, there was a huge crowd and mother nature cooperated. Mayor McKeehan noted it was a great event and he was glad the City was able to host it.

ADJOURN

Ms. Rousmaniere moved to adjourn at 8:41 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.