

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, September 6, 2016 at 7:00 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Ms. Jennifer Roberts, Acting Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G)(1) for the purpose of discussing appointments to Boards and Commissions and personnel evaluations. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

Mr. Dana moved to adjourn from Executive Session at 7:30 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Southard moved to approve the agenda. Mr. Dana seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

'PROSTATE CANCER AWARENESS MONTH'

Mayor Rousmaniere read the Proclamation noting it was a very important and sobering message.

UPDATE
SEAVIEW OUTFITTERS RLF

Mr. Kyger advised the owners of Seaview Outfitters took out a Revolving Loan Fund loan from the City in August of 2011 and they had fully paid off the loan. Mr. Kyger noted brothers Jack and Steve Thomas came to the City with the idea of creating an outfitting/apparel store and five years later they owned 3 stores, one in Oxford, Bloomington Indiana and Lexington Kentucky. Mr. Kyger introduced Cody Costanzo, a business partner of Jack and Steve Thomas noting Mr. Costanzo was also a member of the Oxford Chamber of Commerce Board and Visitors Bureau Board. Mr. Kyger advised “Mom and Pop” businesses were what the Revolving Loan Fund was all about and those owners tended to get more involved with the community and give more back to the community.

Mr. Cody Costanzo, noted in addition to Seaview, they opened Root Yoga last year and without the City’s assistance there would be no Seaview Outfitters or Root Yoga. Mr. Costanzo advised being fresh out of college they didn’t have a lot of money and being able to come to the City was a huge asset. Mr. Costanzo noted the third Seaview Outfitters location in Lexington would open in two weeks. Mr. Costanzo thanked Council and advised he enjoyed being in Oxford.

Council members congratulated Mr. Costanzo followed by a round of applause for the success of the businesses.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Ms. Southard moved to nominate Mr. Andor Kiss to the Environmental Commission for a term ending June 30, 2020. Mr. McKeehan seconded. The motion passed 7-0-0.

NOTICE TO
LEGISLATIVE AUTHORITY

Stock Transfer for Walgreen Co. DBA Walgreens 200 S. Locust Street Oxford, Ohio 45056.

Mr. Kyger explained the transfer noting Walgreens merged with another company and the liquor license needed to reflect the new ownership.

Mr. Blackburn moved to accept the notice without comment. Mr. Ellerbe seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

Ms. Mikhaila Fogel, Thomson Hall, 425 Western College Drive, noted she was a freshman at Miami University and moved in two weeks early this semester to participate in the Community DIVE (Diverse Immersion & Volunteer Experience) program. Ms. Fogel advised the participants had the opportunity to explore local agencies as well as volunteer in Over the Rhine. Ms. Fogel noted this was an important program to her so she could continue volunteer work she began in her hometown of Milwaukee, Wisconsin.

Ms. Fogel advised in addition to finding an agency she hoped to volunteer for soon she met 17 people who were like minded and had similar interests to hers. Ms. Fogel noted she made a lot of friends through the DIVE program and she wanted to extend a thank you to community leaders who had lunch and dinner with the group and allowed them to explore Oxford and local agencies.

Mayor Rousmaniere inquired which agency Ms. Fogel hoped to volunteer for. Ms. Fogel advised the Family Resource Center and noted she wanted to become a social worker.

Ms. Southard advised many Councilors and community members had the opportunity to meet the DIVE group and she was very impressed with the students. Ms. Southard noted she and Bob Ratterman gave the group a tour of the Oxford Community Choice Food Pantry. Ms. Southard advised it was a pleasure to meet Ms. Fogel and the others and welcomed them to Oxford noting she felt they would make a big difference.

Reverend David Emmerson, advised he felt everyone knew about the problems at Parkview Arms and noted drugs and violence were putting a black mark on an otherwise great City. Reverend Emmerson advised last night he had the unfortunate experience of witnessing a 20 year old male being beaten until unconscious and with a concussion. Reverend Emmerson noted this should not have happened because the person who did this was a known drug dealer. Reverend Emmerson advised most people in the complex knew who these people were but they were fearful of talking to the police about it. Reverend Emmerson noted he was very unhappy that the police seemed to treat the incident as a joke and he hoped he was mistaken. Reverend Emmerson advised he was not asked to make a statement even though he made the 911 call so he filled one out at the Police Station today. Reverend Emmerson noted he was receiving threats due to making the 911 call. Reverend Emmerson advised he would like to hear some positive ways of fixing the problems at Parkview Arms as the complex seemed to be neglected from a mental health care standpoint all the way to criminal activity.

Mayor Rousmaniere advised there were a number of community groups looking at issues of drug and opiate problems in town and the Oxford Police Department was working on these issues as well. Mayor Rousmaniere agreed Parkview Arms was an area to focus on. Reverend Emmerson advised there were a lot of good people at Parkview Arms some of whom had mental health issues or disabilities. Reverend Emmerson noted a small minority ruined the complex and they should not be there. Mayor Rousmaniere noted she was sorry about the incident Reverend Emmerson witnessed and she was glad he told Council about it. Mayor Rousmaniere advised Council would follow up on the matters.

CONSENT AGENDA

MINUTES

Minutes of the August 16, 2016 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 18, 2016 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 17, 2016 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 25, 2016 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

RESOLUTIONS

RESOLUTION

SALVAGE VEHICLES

A Resolution No. 5007 authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (John Jones, Police Chief)

RESOLUTION

EMS COT

A Resolution No. 5008 authorizing the Oxford Division of Fire to purchase one (1) Ferno Inx Intelligent Transport Loading System (EMS cot) and specified appurtenances designed to prevent injuries to firefighters and emergency medical technicians at a total cost not to exceed \$35,760.35. (John Detherage, Fire Chief)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION

RELEASE OF MORTGAGE

A Resolution No. 5009 authorizing the release of a mortgage given by the City of Oxford, Ohio, to Heidi L. Schran and Brandon S. Ney in the amount of \$98,889.00 recorded with the Butler County, Ohio Recorder's Office in book 8279 pages 1147 to 1149. (Alan Kyger Economic Development Director)

Mr. Kyger advised a year ago the owners of Quarter Barrel paid off their Revolving Loan Fund loan and they secured the loan through a lien on their home. Mr. Kyger noted that lien has not been released and the proposed Resolution would authorize the release of the lien on their home.

Mayor Rousmaniere inquired of there were any comments from the public and there were none.

Mr. McKeehan asked Mr. Kyger to send the owners an apology for not releasing the lien sooner.

Ms. Southard moved to adopt Resolution No. 5009. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH
MIAMI UNIVERSITY

A Resolution No. 5010 approving and authorizing an agreement, a copy of which is attached hereto as Exhibit "A", between the City of Oxford and Miami University for ambulance and first aid service during specified events on Miami University's campus and authorizing the City Manager to execute the same. (John Detherage, Fire Chief)

Chief Detherage advised a few years ago Miami University approached the City to provide stand-by EMS coverage at events on campus. Chief Detherage noted the program began with a direct pay approach for employees of the City and Miami University would like to change that by contracting with the City and paying the City a lump sum. Chief Detherage advised the contract was written by Mr. McHugh and Miami's attorney and asked for Council's approval of the proposed Resolution.

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

Mayor Rousmaniere asked Chief Detherage to explain the 'lump sum' payment. Chief Detherage advised the only lump sum would be the fee for use of the first aid trailer and everything else would be paid as the service is provided. Chief Detherage noted the City would invoice Miami after each event.

Mr. Smith inquired if the City would have to purchase a first aid trailer and Chief Detherage advised the City would use one provided by Butler County EMA.

Mr. McKeehan referred to the City's compensation on page 43 of Council's packet and inquired if the City's costs would be covered and Chief Detherage advised yes.

Mr. Blackburn inquired if the City's accounting costs were taken into consideration. Chief Detherage advised yes and noted the invoicing would be handled by the Fire Department.

Mr. McKeehan inquired if this would change the City's liability position. Chief Detherage advised no and noted liability insurance and Worker's Compensation coverage were reviewed.

Mr. Dana noted this effort showed good cooperation between the City and the university.

Mr. Ellerbe moved to adopt Resolution No. 5010. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
NEW CHAPTER 729

An Ordinance Repealing Oxford Codified Ordinance Chapter 729, Entitled “Vendors And Solicitors” And Adopting New Oxford Codified Ordinance Chapter 729 “ Vendors And Solicitors.” (Douglas R. Elliott, Jr., City Manager)

Mr. Elliott advised the City’s current vendors and solicitors ordinance was adopted in 1963 except for two sections. Mr. Elliott noted he and staff were proposing an update to the ordinance. Mr. Elliott advised the proposal includes a reasonable limitation on commercial and non-commercial solicitation hours from 9 a.m. to 9 p.m. Mr. Elliott noted the proposal also requires registration of credentials for commercial solicitors and a \$50 filing fee. Mr. Elliott advised there is also a provision which prohibits solicitation of a residence if a no solicitation or similar worded sign is posted near the entrance. Mr. Elliott recommended adoption of the proposed ordinance after the second reading so the City’s Vendors and Solicitors provisions could be updated.

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

Mr. Dana referred to page 48 of Council’s packet and noted it was heartening to read about the court case and that the provisions of the ordinance complied with a court tested decision. Mr. Dana noted one could be certain the ordinance is workable.

Ms. Southard inquired what rights homeowners had and how large the no-solicitation sign had to be. Ms. Southard inquired if the solicitor had to have verification they had paid the \$50 fee and if the non-commercial solicitors had to pay the fee.

Mr. Elliott referred to page 51 of Council’s packet Section 729.05 which contained specifications for signage indicating “No Solicitation” which any owner or occupant could display near their entrance. Mr. Elliott noted the letters must be at least ½ inch in height. Mr. Elliott advised if someone knocked on the door of a residence with a “No Solicitation” sign, they could call OPD on the non-emergency line and OPD would take care of the matter.

Mr. Dana referred to page 52 of Council’s packet Section 729.10 Sales On Certain Municipal Property Prohibited, and noted he felt the language was well crafted as it did not apply to non-profit or charitable organizations and it specifically mentioned the Oxford Farmers Market. Mr. Elliott noted those provisions were added in 2013 and carried over to the proposed update.

Mayor Rousmaniere inquired if commercial solicitors would carry documents indicating they had paid the \$50 fee. Mr. McKeehan referred to Section 729.09, Display of Credentials Upon Request, and advised yes.

Mr. Ellerbe inquired if the penalty was criminal or civil. Mr. Elliott referred to Section 729.99 and advised the penalty was a misdemeanor of the fourth degree for a first offense and a misdemeanor of the third degree for a subsequent offense.

ORDINANCE
NEW SECTION 303.08

An Ordinance Repealing Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption, And Adopting New Oxford Codified Ordinance Section 303.08 Entitled Impounding And Booting Of Vehicles; Redemption. (John Jones, Police Chief)

Chief Jones advised the next four ordinances related to parking and resulted from investigation by the new command staff who found issues with some of the language in the Oxford Codified Ordinances. Chief Jones noted the Police Division has had Public Safety Assistants (PSAs) for many years who have acted as an agent for the Police Chief. Chief Jones advised the first proposed ordinance gives PSAs the expressed authority to impound or immobilize vehicles which is something they have always done.

ORDINANCE
NEW SECTION 127.13

An Ordinance Adopting New Oxford Codified Ordinance Section 127.13 Entitled Parking Enforcement Unit. (John Jones, Police Chief)

Chief Jones advised the Ohio Revised Code outlined that municipalities could establish a local Parking Enforcement Unit which requires an Ordinance adopted by Council. Chief Jones noted the PSAs were covered by the salary ordinance and by Civil Service and the Law Director advised an ordinance should be adopted to establish the Parking Enforcement Unit within the Oxford Codified Ordinances.

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

ORDINANCE
NEW SECTION 351.16

An Ordinance Repealing Oxford Codified Ordinance Section 351.16 Entitled Snow Routes, And Adopting New Oxford Codified Ordinance Section 351.16 Entitled Snow Routes. (John Jones, Police Chief)

Chief Jones advised while researching the parking ordinances, staff discovered the penalty section for a violation of Section 351.16 Snow Routes, was inconsistent with other parking violations in Chapter 351. Chief Jones referred to page 63 of Council's packet and noted the proposed change will make the penalty for a parking on a snow route violation consistent with other parking violations.

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

Mr. McKeehan inquired if the ability to remove vehicles left in the snow routes was still intact and Chief Jones advised yes, in Section 303.08, Impounding and Booting.

ORDINANCE
NEW SECTIONS 355.02, 355.13 AND 355.99

An Ordinance Repealing Oxford Codified Ordinance Sections 355.02 Entitled Definitions, 355.13 Entitled Prohibitions, And 355.99 Entitled Penalties, And Adopting New Oxford Codified Ordinance Sections 355.02 Entitled Definitions, 355.13 Entitled Prohibitions, And 355.99 Entitled Penalties. (John Jones, Police Chief)

Chief Jones noted the proposed ordinance dealt with the City's Residential Permitted Parking program. Chief Jones referred to page 67 of Council's packet and advised the proposed language would clarify that persons with a residential permitted parking permit could only park in the Residential Permitted Parking area in which they lived.

Mr. McKeehan inquired how many Residential Permitted Parking areas had been established. Chief Jones advised 15, noting some of them overlapped somewhat.

Mr. Ellerbe inquired what the penalties were for violations of Section 355.13, Prohibitions. Chief Jones advised the penalties were contained in Section 355.99 and referred to page 67 of Council's packet.

Mayor Rousmaniere advised the ordinances would receive second readings at the next meeting.

ORDINANCE
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3366 Amending Ordinance No. 3335. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal year 2016. (Joe Newlin, Finance Director)

Mr. Newlin advised the only change from the first reading was an increase for health care reimbursements.

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

Mr. Dana moved to adopt Ordinance No. 3366. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Mr. Blackburn, Ms. Southard, Mr. Dana
Mayor Rousmaniere (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted was served on the United Way Board and last week they held their 2016 Un-Sung Hero's campaign kick-off event at the Talawanda High School. Mr. Elliott advised the event was well received and School Resource Officer, Matt Wagers was nominated for an award.

Mr. Elliott noted the Community Picnic was a great success last week and thanked organizers John Buchholz and Jessica Greene. Mr. Elliott advised many organizations donated to the event and there were many volunteers including Council members, City staff and Police Community Relations & Review Commission members.

Mr. Elliott updated Council and the public on the City's Electric Aggregation Program and plans to increase enrollment.

Mr. Wooddell advised the municipal pool was closed for the season noting it was an excellent summer. Mr. Wooddell advised revenues were up from the last couple of years and he would report more on that soon.

Mr. Wooddell presented a PowerPoint of the new Parks and Recreation Program Guide. Mr. Wooddell commended his staff for creating new programs and new ideas for the program guide. Mr. Wooddell credited Ryan Himes, Program Supervisor, for his efforts in designing the program guide. Mr. Wooddell advised the guide could be used electronically which was a cost savings since he would order 1,000 less paper copies.

Mr. Wooddell advised the Masters Games would take place Monday, September 12 at the Oxford Senior Center and the 2nd annual Youth Wiffle Ball Tournament would take place September 24th.

Mr. Kyger advised his weekly report contained information regarding 'empty' storefronts noting his hope Council found it beneficial. Mr. Kyger added most of them were in various stages of development or redevelopment. Mr. Kyger advised 123 W. High Street was being used by the Trump Campaign. Mr. Kyger noted a new barber shop was opening at 8 N. Beech Street and the former Teahouse reopened as an Asian Barbeque at 15 W. High Street.

Mr. McKeehan thanked OPD and specifically John Buchholz for doing a fantastic job coordinating the Community Picnic. Mr. McKeehan noted the number of people in attendance was astounding.

Mr. McKeehan advised he had manned a grill for 7-8 years for the event noting John asked him once and assigned him thereafter. Mr. McKeehan noted the Miami University Synchronized Skaters volunteered which was very helpful.

Mr. McKeehan noted he served on the Community Improvement Corporation (CIC) and they oversee the Revolving Loan Fund. Mr. McKeehan advised he was pleased to offer his lending experience to the CIC. Mr. McKeehan noted it was rewarding to see businesses like Seaview Outfitters doing well and helping the community. Mr. McKeehan advised the business the City of Oxford helped start was now impacting two other communities with additional Seaview Outfitters stores.

Mr. Dana noted the Walk-About in the Mile Square was very successful and the interactions he had with students was very positive.

Mr. Dana advised the Cities and Villages recent publication discussed HB 233 which was important because it empowered cities to create downtown redevelopment districts and innovative districts for the purpose of rehabilitating historic buildings, creating jobs and encouraging economic development. Mr. Dana noted it was a comprehensive tool the City of Oxford could use.

Mr. Dana advised September 13 was a primary election and noted citizens must register to vote in the general election by October 11, 2016.

Mr. Smith noted the new Bonham Road bridge was awesome and a big improvement over the former bridge.

Ms. Southard advised the Walk-About was a great success and thanked Jennifer O'Brien from Miami University and the City for making the linkage possible to welcome students to Oxford. Ms. Southard noted the students were very receptive in receiving the idea they were part of the community. Ms. Southard advised it was a wonderful event as was the Community Picnic.

Mr. Blackburn noted the Community Picnic was great and Ms. Greene of the Visitors Bureau thought it was the largest crowd to ever attend.

Mr. Blackburn suggested information regarding the City's Electric Aggregation Program be included in the next Walk-About packet.

Mayor Rousmaniere noted Chief Jones, Mr. Elliott, Mr. Newlin and Mr. Chen participated in the Walk-About which was for juniors and seniors living off campus. Mayor Rousmaniere advised a First Year Take Over was sponsored by the Chamber of Commerce and the Visitors Bureau for first year students to participate in a scavenger hunt Uptown which was very successful.

Mayor Rousmaniere noted she was sorry Reverend Emmerson left the meeting and announced on Monday, October 24 the Talawanda School District was sponsoring a forum on opiate and drug problems in the community.

Mayor Rousmaniere advised the Coalition for a Healthy Community had a work group focused on opiate and other drugs which was an issue affecting Butler County extremely harshly and Oxford as well.

ADJOURN

Mr. Dana moved to adjourn at 8:32 p.m. Mr. Ellerbe seconded. The motion passed 7-0-0.