A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, September 21, 2010 at 7:15 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman and Kevin McKeehan. Kate Currie and Greig Rutherford were excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, 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.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn 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. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Bogard moved to adjourn from Executive Session at 7:28 p.m. Mr. Blackburn seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 6-0-0.

PROCLAMATION 'HISPANIC HERITAGE MONTH'

Mayor Keebler read the Proclamation and presented it to Ms. Juanita Tate.

Ms. Juanita Tate, thanked Council for the Proclamation and noted the Latin American and Caribbean Festival would take place Friday, September 24, 2010 at 5:30 p.m. in the Uptown Parks. Ms. Tate encouraged everyone to attend the event.

PRESENTATION
METRO PARKS OF BUTLER COUNTY

Mr. Jonathan Granville, provided a PowerPoint presentation regarding the Butler County MetroParks system and discussed the MetroParks levy which would appear on the November 2, 2010 ballot. Mr. Granville advised the proposed levy was ½ mill over six years or $15.00 per year for the owner of a home with a tax value of $100,000.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Mr. Bogard moved to appoint Mr. Michael Kohus to the Student Community Relations Commission for a three year term expiring in 2013. Mr. Harman seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION
PUBLIC COMMENTS

Ms. Connie Elliott, 616 S. College Avenue, advised on September 1, 2010 the Smokey and Tornado project got approved to compete for grant money from Pepsi Cola. Ms. Elliott noted Pepsi was awarding $5,000 grants for the top 10 ideas submitted for their Refresh Everything contest. Ms. Elliott encouraged Council and the public to log on to www.refresheverything.com and vote for the Smokey and Tornado project. Ms. Elliott noted if the grant was awarded it would be used to continue donating disaster kits to low income families.

Mr. Matt Ciccone, Secretary, Off Campus Affairs, noted it was good to be back in Oxford. Mr. Ciccone advised tomorrow night he and several Greek fraternity members and Interfraternity Council members would meet to discuss the proposed Fire Levy which was presented to them at a recent Student Community Relations Commission meeting. Mr. Ciccone advised they would give their recommendations regarding the proposed levy to the Student Community Relations Commission. Mr. Ciccone noted he would work with Mr. Chen and the Fire Department to make sure the proposed levy would be something that worked for everyone and something that would keep Miami University students safe in the future. Mr. Ciccone advised he would provide feedback for Council regarding the issue from students and community members at the next Council meeting.

CONSENT AGENDA

MINUTES

Minutes of the September 7, 2010 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the September 1, 2010 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

RESOLUTIONS

RESOLUTION
CDBG CONTRACT

A Resolution No.4560 accepting the bid submitted by Innovative Concrete and Utility Construction, LLC. and authorizing the City Manager to enter into a contract with Innovative Concrete and Utility Construction, LLC. for the construction of a new sidewalk on the north side of University Park Boulevard and for additional improvements to public sidewalk and handicap ramps set forth on Exhibit "A" for an amount not to exceed $108,684.00 to fully utilize the budgeted Community Development Block Grant (CDBG) funds. (Mike Dreisbach, Service Director)

RESOLUTION
COLLEGE AVE. IMPROVEMENTS

A Resolution No. 4561 of Council authorizing the City Manager to expand the scope of services with Adleta, Inc. to include the repair of brick roadway on College Avenue at a cost not to exceed $27,675.00. (Mike Dreisbach, Service Director)

Mr. McKeehan moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 5-0-0.

RESOLUTION
AMENDING AGREEMENT
WITH OXFORD COMMUNITY FOUNDATION

A Resolution No. 4562 authorizing the City Manager to amend the License Agreement between the City of Oxford and the Oxford Community Foundation. (Doug Elliott, City Manager)

Mr. Bogard recused himself from the discussion noting he was on the Oxford Community Foundation Board.

Mr. Elliott advised the Oxford Community Foundation requested that the City suspend the sale provisions of the license agreement so the Foundation might consider opportunities to rent the property located at 338 North Locust Street. Mr. Elliott advised Mr. James Robinson was in attendance to address the issue further. Mr. Elliott noted he supported the request and recommended adoption of the proposed Resolution.

Mr. McHugh advised he would prepare an addendum to the license agreement should Council adopt the proposed Resolution.

Mr. James Robinson, President Emeritus, Oxford Community Foundation, advised despite diligent efforts to sell the property the foundation had been unable to, due to the terms of the license agreement and the terms of the fund that allowed the foundation to purchase the property in the first place. Mr. Robinson noted it was largely a measure of the economy and the limitations set forth in the license agreement and the original Resolution. Mr. Robinson advised the cost of the property was approximately $1,000 per month and the foundation would like to off-set those costs by renting the property while keeping it for sale by the same terms. Mr. Robinson noted there were people interested in renting the property who may become purchasers of the property at a later date. Mr. Robinson noted he appreciated Council's consideration of the proposed Resolution.

Mr. Blackburn inquired if a lease with option to buy would be utilized and Mr. Robinson advised a right of first refusal would be in place to give an occupant the first opportunity to buy the property whereas a lease with option would mandate that the occupant bought the property.

Mr. Harman noted he felt this was a great idea given the tough real estate market.

Mr. McKeehan noted he was disappointed that the property had not sold and advised he felt this was a viable option.

Mayor Keebler advised the foundation had a limited amount of funds and spending them on mortgage payments with no return was not the best use of those funds. Mayor Keebler noted if the property could be rented while keeping the original goals of selling it as an owner-occupied residence he felt Council should approve the proposed Resolution.

Mr. Blackburn moved to adopt Resolution No. 4562. Mr. McKeehan seconded. The motion passed 4-0-0.

ORDINANCES
SECOND READING

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3124 Approving A Conditional Use Permit To Allow A Place Of Worship In The Uptown (UP) District At 127 W. Church Street, Oxford, Ohio. (Jung-Han Chen, Community Development Director)

Mr. Blackburn recused himself from the discussion as the owner of 127 W. Church Street.

Mr. Chen advised he had no new information regarding the proposed Ordinance.

Mr. McKeehan moved to adopt Ordinance No. 3124. Mr. Harman seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Keebler (4)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTIONS
1143.13 & 1143.14

An Ordinance No. 3125 Repealing Oxford Codified Ordinance Sections 1143.13 and 1143.14 and Adopting New Oxford Codified Ordinance sections 1143.13 And 1143.14 Titled "Office & Light Industrial District" And "Light Industrial District". (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had no new information regarding the proposed Ordinance.

Mr. Bogard inquired if parcels other than the Wildberry parcel would meet the proposed criteria. Mr. Chen advised yes, at the corner of Morning Sun Road and Sycamore Street and on US-27 South.

Mr. Bogard moved to adopt Ordinance No. 3125. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTION 353.05

An Ordinance No. 3126 Repealing Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amount And Time Limitations", And Adopting New Section 353.05, Entitled "Payment; Amount And Time Limitations". (Steve Schwein, Police Chief)

Chief Schwein advised Lt. Holzworth did a marvelous job at the first reading of the proposed Ordinance providing Council the history of parking meters in Oxford from 1948 to the last meter rate increase in 1993. Chief Schwein noted Lt. Holzworth also discussed advancement in terms of development especially in the Uptown District and the parking demand on High Street between College Avenue and Campus Avenue and the Uptown Park areas. Chief Schwein advised the proposed Ordinance would give the City Manager the authority to look at high impact areas and raise parking meter rates as necessary based on certain criteria.

Mayor Keebler advised the Oxford Parking and Transportation Advisory Board did a lot of work on these issues over a long period of time and noted his feeling the rationale of the proposal was good. Mayor Keebler reiterated it was extremely important that much better signage was in place which identified the length of time allowed at a certain meter and the cost.

Mr. Blackburn moved to adopt Ordinance No. 3126. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Mr. Blackburn, Mr. Bogard, Mr. Keebler (5)

NAY: None (0)

ABS: None

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3089 Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2010. (Joe Newlin, Finance Director)

Mr. McKeehan moved to adopt the proposed Ordinance. Mr. Blackburn seconded.

Mr. Newlin addressed his staff report as presented on pages 73-77 of the agenda and detailed three additions to the Supplemental Budget since the First Reading.

Mayor Keebler questioned the appropriateness of adding new items at a second reading that had not been discussed at the first reading.

Mr. McHugh advised generally that should not be done and suggested Council amend the Ordinance to include the new items and move it to second reading for the next meeting.

Mr. McKeehan withdrew his motion to adopt the Ordinance and Mr. Blackburn withdrew his second.

Mr. McKeehan moved to accept the amendments (items 8, 9 and 10) to the proposed Ordinance and to move the matter to second reading at the next meeting. Mr. Blackburn seconded. The motion passed 5-0-0.

Mayor Keebler referred to item 8 on page 75 of the agenda and inquired if encumbering the funds was required for the grant to improve a portion of High Street. Mr. Elliott advised the City had to certify that the funds were available and noted the City could back out of the grant if Issue 15 failed.

ANNOUNCMENTS

Mr. Elliott updated Council with regard to the Miami Heritage Technology Park project noting the owner wanted the City to provide water and sanitary services and to consider forming a Joint Economic Development District (JEDD) with Oxford Township. Mr. Elliott advised he was not in favor of a JEDD because if the property was annexed under the Expedited 2 process, the township would continue receiving property taxes as if it were still in the township. Mr. Elliott advised the City's longstanding policy was to require property to be annexed before City water and sanitary services were provided. Mr. Elliott advised unless Council directed him otherwise tonight, he would respond to the owner stating that they would need to annex before the City provided water and sanitary services.

Mr. Elliott advised a Ballot Issue Committee was formed to raise money to purchase signs and advertising for Issue 15. Mr. Elliott noted Issue 15 was a very important issue for the City and the slogan was "Keep Oxford Safe". Mr. Elliott advised the committee had received endorsements from the League of Women Voters, the Chamber of Commerce and the Visitors and Convention Bureau. Mr. Elliott noted he, the Mayor and Fire Chief would be making presentations to the Rotary Club, Kiwanis, Lions and other service organizations to get the message out about this important issue on the ballot for the City of Oxford. Mr. Elliott advised information was available on the City's website regarding the issue and encouraged people to contact him, Mayor Keebler or Chief Detherage with any questions.

Mr. Elliott advised an Open House was scheduled at the Fire Station on Sunday, October 3, 2010 from 2:00 p.m. to 5:00 p.m. and encouraged everyone to attend.

Mr. Elliott advised a meeting took place last week with Milford Township Trustees to begin negotiating a new contract for providing Fire and EMS service to their township.

Mr. Dreisbach advised he wanted to publicly thank the Des Fleurs Garden Club for their $1,000 donation to assist with the purchase of hanging baskets for the City.

Mr. Kyger advised he and Mr. and Mrs. Dockum would travel to Purdue University tomorrow to tour their Tech Park Facility.

Ms. Eaton advised the October 12, 2010 Planning Commission meeting was cancelled and a Work Session was scheduled instead at 6:00 p.m.

Mr. McKeehan advised he was doing a 'Ride-Along' with the Police Department on Saturday night.

Mr. McKeehan noted an amendment to the Noise Ordinance would appear on the next agenda and encouraged Council members to provide their input regarding construction work being performed on weekends.

Mr. Bogard updated Council with regard to the September 9, 2010 OKI meeting.

Mr. Bogard noted at the last Recreation Board meeting Ms. Brahier provided maps of the walking paths at the Community Park. Mr. Bogard encouraged everyone to visit the park and enjoy the walking paths.

Mr. Bogard asked the City Manager and Service Director to look into expanding the parking area at the dog park located on Morning Sun Road.

Mr. Bogard advised he was pleased with the progress of the improvements to US-27 North.

Mr. Bogard encouraged everyone to participate in the State to State Marathon taking place this weekend.

Mr. Harman thanked Mr. Bogard for volunteering to start each race at the State to State Marathon.

Mr. Harman encouraged everyone to attend the Latin Festival on Friday in the Uptown Parks from 5:30 p.m. to 10:00 p.m.

Mr. Harman advised the Porsche event brought more than $500,000 worth of economic benefit to the City and thanked all of the volunteers who made that happen.

Mr. Harman noted he was sad to read that the local hospital would lay off over 20 people which was $1,000,000 in payroll gone and it would affect the lives of the citizens losing their jobs.

Mr. Harman advised Council made a commitment to Mr. Rutherford that even if Issue 15 passed Council would need to find other revenue sources for Oxford. Mr. Harman noted his hope Council would discuss the revenue sources still on the plate at their upcoming budget Work Sessions.

Mr. Blackburn advised more volunteers were needed for the State to State Marathon this weekend.

Mr. Blackburn noted the Porsche event would be even bigger next year with a golf outing planned for Thursday which would bring people into town a day earlier and add to the economic benefit.

Mayor Keebler advised a lot of street lights were out within the City and noted Duke Energy did not seem to be very prompt in fixing them. Mr. Dreisbach advised Duke Energy had admitted to their shortfall in that regard and had made a commitment to repair the lights within a week of the City notifying them of an outage. Mr. Dreisbach encouraged citizens to call the Service Department at 524-5206 to report street light outages.

Mayor Keebler noted he reiterated Mr. Elliott's remarks regarding the importance of Issue 15 to the community. Mayor Keebler advised a lot of people were working diligently to get the information out which was appreciated. Mayor Keebler gave special thanks to former Mayor, Prue Dana who was co-chairing the committee with him and putting forth a lot of effort regarding the proposed tax increase.

ADJOURNMENT

Mr. Bogard moved to adjourn at 8:45 p.m. Mr. Blackburn seconded. The motion passed 5-0-0.