

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, September 19, 2017 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, Mike Smith and Edna Southard. Bob Blackburn and Kevin McKeehan were excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Casey Wooddell, Parks and Recreation 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 Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Ms. Southard seconded. The motion passed 5-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **'CAROLINE SCOTT HARRISON DAY'**

Mayor Rousmaniere read the Proclamation and presented it to Ms. Kathleen Fox.

Ms. Kathleen Fox, invited everyone to the ceremony on October 15th at 3:00 p.m. at the Oxford Community Arts Center as a bronze sculpture of Caroline Scott Harrison would be revealed to the public. Ms. Fox noted Senator Coley was instrumental in the OCAC receiving \$75,000 towards the sculpture and the OCAC raised \$16,000. Ms. Fox advised the sculptor was Garrett Hawkins who does fantastic work.

PROCLAMATION **'HISPANIC HERITAGE MONTH'**

Mayor Rousmaniere read the Proclamation and presented it to Ms. Jacque Rioja Velarde.

Ms. Jacque Rioja Velarde, noted it was an honor to be present this evening and encouraged everyone to attend the UniDiversity Festival on Saturday, September 23rd in the Uptown Parks. Ms. Rioja Velarde advised this has become a strong community event which would include an International Peace Day Parade this year, an effort of the Center for American and World Cultures at Miami University. Ms. Rioja Velarde noted the parade supported peace and justice in communities which has been challenging recently for some. Ms. Rioja Velarde advised 20 community organizations were joining in the event this year including 'Not In Our Town' who would lead the parade. Ms. Rioja Velarde advised information would be available regarding the Deferred Action for Childhood Arrivals (DACA) program noting its status affected some Miami University students and she encouraged everyone to support those students. Ms. Rioja Velarde suggested everyone use the UniDiversity Festival to celebrate unity in the United States.

PROCLAMATION
'HIKE-A-THON PLUS DAY'

Mayor Rousmaniere read the Proclamation and presented it to Mr. Hardy Eshbaugh.

Mr. Hardy Eshbaugh, noted Saturday would be a very busy day and encouraged everyone to enjoy some of the events in Oxford. Mr. Eshbaugh referred to the Proclamation which stated Oxford Hike-A-Thon annually contributes to a significant charity and this year the Hike-A-Thon charity was 4-Paws for Ability. Mr. Eshbaugh advised the headquarters for 4-Paws was located in Xenia, Ohio and they would bring a number of dogs and staff members to Oxford on Saturday. Mr. Eshbaugh noted Miami University was one of 20 universities in the United States training 4-Paws dogs currently. Mr. Eshbaugh advised he had the opportunity to see a young autistic man receive his first 4-Paws dog and the marriage of emotions that came watching a grandfather introduce his grandson to the dog that would now become his caretaker and partner for the future told him what the possibilities were and he was thrilled this was the charity that Hike-A-Thon was sponsoring this year.

PRESENTATION
BUTLER COUNTY MENTAL HEALTH AND ADDICTION
RECOVERY SERVICES BOARD

Ms. Tiffany Lombardo, Director of Addiction Services, distributed the board's position statement on the use of marijuana to Council and staff members. Ms. Lombardo read the following into the record: 'The Butler County Mental Health and Addiction Recovery Services Board believes that the use of marijuana is not benign – which is consistent with major medical organizations – as studies clearly outline the physical and mental harm of marijuana, including risk of breathing illness, implications of increased heart rate, psychotic disease, other cognitive problems, and that children and adolescents are especially vulnerable to its many known adverse effects. The Board encourages people to examine the ramifications on society, including exacerbating a current problem of employers not being able to hire candidates or retain employees because of failed drug tests, decreased adolescent perceptions of marijuana's harmful effects, relationship problems, and a potential increase of individuals developing addictions to marijuana and other drugs. The Board continues to believe that marijuana for medicinal purposes should be subject to the same research, clinical trials, scrutiny, and quality control measures as any other approved medication by the U.S. Food and Drug Administration. In light of Ohio legislation that has approved marijuana for specific medical conditions, we encourage the following:

- Continued research be done, of the necessary rigor, to determine any benefits and risks for the most meaningful therapeutic areas. Limited scientific studies have indicated possible therapeutic benefits for medical marijuana, but significant side effects have also been shown. We encourage any prescribing physicians and patients be mindful of the possible limitations and known adverse physical or mental health risks for the use of medical marijuana, and consider possible alternative treatments.

- Children be carefully protected from potential misuse in households using medical marijuana. As examples, dramatic increases in emergency room visits have been seen for children in states with medical marijuana laws, the developing adolescent mind is more sensitive to long term negative consequences for the use of marijuana, and children's attitudes about risks of marijuana for recreational usage are reduced in households where marijuana is present.
- Communities be cautious about engaging in activities with respect to the manufacture, distribution, or sale of medical marijuana. These actions will continue to be in violation of federal law and will be at risk for unknown enforcement actions in the future. To comply with Ohio state law special certifications will need to be created for all related professions and activities, which have yet to be established by the relevant agencies and will likely show on-going change. These actions may also undermine the reality that marijuana is an addictive substance, and marijuana use disorders have been shown to increase in states that have passed medical marijuana laws.

In summary, marijuana has the potential for addiction, be it recreational or medical. We believe that the tax revenues for medical marijuana must be returned to local communities to fund broad-based prevention, education and treatment for marijuana use disorders'.

Ms. Lombardo referred to the handout noting it included additional statements and conclusions from the American Medical Association and the American Academy of Pediatrics. Ms. Lombardo advised the handout also listed resources for review from the National Institute on Drug Abuse, Colorado Medical Marijuana Data Reports, and the US National Library of Medicine. Ms. Lombardo noted the Board does not take a political stance and they want to ensure communities are educating themselves and reading all relevant resources and information to make educated decisions.

Mayor Rousmaniere advised she felt if a medical marijuana dispensary was interested in locating in Oxford Council should consider strong Conditional Use regulations. Ms. Rousmaniere noted there already was very specific regulation in terms of location.

Mr. Dana noted the message from Ms. Lombardo was to study the issue. Ms. Lombardo advised part of the Board's position statement aligns with the American Medical Association noting medical marijuana was not approved by the FDA because it is still classified federally as a Schedule 1 Substance. Ms. Lombardo advised until it changes federally the FDA can not study medical marijuana and it can not go through proper clinical trials like all the other medicinal substances do.

Ms. Southard inquired if the Board had a position Statement on opioids if there was a choice between opioids and medical marijuana. Ms. Lombardo advised no and noted opioids was a very difficult and challenging issue in Butler County right now. Ms. Lombardo noted she has pushed for prevention and education and the Board has seen in student drug use surveys across Butler County that the perception of harm of marijuana continues to go down even as the perception of harm of alcohol, tobacco and prescription drugs continues to go up.

Ms. Lombardo advised studies have shown how damaging marijuana was to adolescent development and the Board wanted to make sure they were being educated and provided supports so they are not seeing marijuana use as a positive.

Mayor Rousmaniere thanked Ms. Lombardo and the Board for all their work.

PRESENTATION
SHAREFEST 2017

Ms. Carol Michael, advised it was her pleasure to report ShareFest had another successful year and noted ShareFest was a service and environmental non-profit corporation dedicated to the collection and redistribution of items donated by Miami University students and the Oxford community at the end of the academic year. Ms. Michael advised the collected items benefitted residents in need and social service agencies throughout the region. Ms. Michael noted ShareFest had 4 purposes: to help individuals in need by providing them with access to consumer goods, to teach sharing and environmental ethics and an awareness of diverse backgrounds to the young people who are students at Miami University, to protect and preserve the environment and help the City of Oxford dispose of unwanted items and help clean the City quickly. Ms. Michael advised the ShareFest Board members were Holly Morrish, Karen Baker, Jung-Han Chen, Dr. Denise Talisferro Baszile and herself. Ms. Michael noted the Planning Committee members were Rob Abowitz, Gena Bowles, Sharon Hannon, JoAnn Knott, Mike Moore, Jen O'Brien, Geoff Robinson, Chrissy Rolfes, Edna Southard, Ben Spilman, Jade Wadley, Andrew Wilson and herself. Ms. Michael advised there were 7 recipient groups this year including Butler County Children Services, Butler County and Preble County Success, The Family Resource Center, Habitat for Humanity of Greater Cincinnati, Lighthouse Food Pantry, Ohio Valley Goodwill Industries and Oxford Community Choice Pantry. Ms. Michael noted ShareFest was able to use Chestnut Fields parking lot again as a collection site which was a great location with easy access and parking. Ms. Michael advised 43 residence halls provided donations of food, clothing, small appliances and housewares and donations were also collected from off-campus Miami University students and Oxford residents. Ms. Michael noted the ShareFest volunteers inventoried donations as they were collected or dropped off. Ms. Michael advised one of the most crucial marketing tools was an email to off campus students from outgoing Secretary for Off-Campus Affairs Billy Fitzgerald and incoming Secretary Sean Perme. Ms. Michael noted other emails were used to market the event along with social media, utility bills, door hangers and residence hall move out checklists. Ms. Michael advised she was pleased to announce it was a record year for ShareFest with a 7% increase in off campus pick-ups numbering 288 and approximately 75 donation drop-offs. Ms. Michael noted the pick-ups were distributed by recipient group needs and availability and the food went to the Oxford Community Choice Pantry. Ms. Michael advised 173,230 pounds of merchandise was collected or 87 tons compared to 77 tons last year. Ms. Michael discussed how the recipient groups planned to distribute their donations and read some 'impact statements' from recipient groups. Ms. Michael thanked all of the volunteers and all of those who donated including local companies and organizations.

Mayor Rousmaniere called for an applause for Ms. Michael and all of the volunteers.

Ms. Southard noted ShareFest was a tremendous event and all of the volunteers did a great job.

PRESENTATION
OXFORD PARKS AND
RECREATION DEPARTMENT

Mr. Casey Wooddell, Parks and Recreation Director, provided a PowerPoint and detailed report regarding the activities of the Parks and Recreation Department over the summer and plans for the fall and winter. Mr. Wooddell advised the new activity guide for October 2017 through March 2018 was available online and noted printed copies were available as well.

PUBLIC COMMENTS

There were no comments from the Public.

CONSENT AGENDA

Mayor Rousmaniere requested removal of item C. Report regarding the 9-6-17 HAPC Meeting.

MINUTES

Minutes of the September 5, 2017 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the September 5, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the September 6, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the September 7, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

RESOLUTION
SURPLUS PROPERTY

A Resolution No. 5093 declaring certain City property no longer needed for municipal purposes as surplus and authorizing its sale to the highest bidder by internet auction. (Mike Dreisbach, Service Director)

Mr. Dana moved to approve the Consent Agenda. Mr. Ellerbe seconded. The motion passed 5-0-0.

Report regarding the September 6, 2017 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

Mayor Rousmaniere asked Mr. Chen and/or Mr. Smith to address the matter of an existing ATM machine in the Uptown District.

Mr. Chen and Mr. Smith updated Council and the public with regard to an unapproved ATM machine that was installed on E. High Street noting the HAPC has worked with the owner on the matter for over a year.

Mr. Dana moved to approve the September 6, 2017 HAPC meeting report. Mr. Smith seconded. The motion passed 5-0-0.

RESOLUTIONS

RESOLUTION **ALCOHOL CONSUMPTION** **ON CITY PROPERTY**

A Resolution of Council authorizing alcoholic beverages to be served free of charge at private events held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056 provided an additional liquor liability insurance policy is obtained. (Doug Elliott, City Manager)

Mr. Stephen Schnabl, Executive Director, Oxford Seniors, noted he appreciated Council considering this matter although he recently found out a different method was used in the past to allow alcohol at the Senior Center which may be much less costly for them. Mr. Schnabl asked Council to consider tabling the proposed Resolution until other options were explored.

Mayor Rousmaniere noted the request was for alcohol to be served free of charge at the Senior Center and inquired if Mr. Schnabl was looking for a better insurance policy. Mr. Schnabl advised it would still require a per event liquor license through the State of Ohio, a specialized license for a non-profit organization for a one day non charge event. Mr. Schnabl noted insurance for a one time use might be much less than an annual policy for an unknown number of dates. Mr. Schnabl advised annual coverage would be approximately a \$500.00 and he wasn't sure that made sense.

Mr. Dana moved to table the proposed Resolution. Mr. Ellerbe seconded. The motion passed 5-0-0.

RESOLUTION **NOISE ABATEMENT**

A Resolution No. 5094 authorizing a temporary abatement of the noise Ordinance No. 2550, Section 509.09, on Friday, October 6, 2017 from 11:00 p.m. until 1:00 a.m. on Saturday, October 7, 2017 in the Uptown Parks for the Miami Athletics Midnight Madness event. (Doug Elliott, City Manager)

Mr. Elliott advised this event was for Miami University's Basketball teams and requires an abatement of the noise regulations. Mr. Elliott noted the abatement was approved for the last two years until 12:30 a.m. rather than 1:00 a.m. Mr. Elliott advised the City did receive a few noise complaints during the previous events and he wanted to bring that to Council's attention.

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

Mayor Rousmaniere inquired if Miami Athletics explained why they wanted to extend the event until 1:00 a.m. and Mr. Elliott advised no. Mayor Rousmaniere inquired what the nature of the complaints were. Mr. Elliott noted Chief Jones informed him of a few complaints in the Uptown District and further down on Main Street.

Mr. Ellerbe inquired if any of the complaints resulted in a citation and Chief Jones advised no, because the noise abatement was approved.

Mr. Dana inquired if there was any pattern to the complaints. Mr. Elliott advised the event had taken place for two years and there were a few complaints each time. Mr. Elliott noted Council may want to amend the noise abatement to 12:30 p.m. versus 1:00 a.m.

Mr. Smith and Mr. Ellerbe were fine with 1:00 a.m. on a Friday night. Mr. Ellerbe advised he would like to know if complaints ramped up after 12:30 a.m. for future events. Mayor Rousmaniere noted if complaints occurred after 12:30 a.m. Council would re-think extending the event to 1:00 a.m. for future events. Mr. Dana noted given Council didn't have the exact data on the complaints he would make a motion to accept the Resolution.

Mr. Dana moved to adopt Resolution No. 5094. Ms. Southard seconded. The motion passed 5-0-0.

RESOLUTION **EQUIPMENT PURCHASE**

A Resolution No. 5095 authorizing the City Manager to enter into an agreement with Southwestern Equipment Co., Inc. for the purchase of a New Holland TS6.110 tractor with Alamo Machete Boom Mower at state contract pricing at a cost not to exceed \$112,741.60.
(Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was a request for Council's approval to purchase a tractor with an articulating mower for roadside mowing, ditches, over guardrails and on the new trail system to keep brush from encroaching onto the trail. Mr. Dreisbach noted last year the budgeted amount for this equipment was \$90,000 and the state contract price was higher than the budgeted amount. Mr. Dreisbach advised this purchase was contingent upon Council's approval of the Supplemental Budget on tonight's agenda which authorizes the additional funds needed for the purchase.

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

Mayor Rousmaniere noted she was on part of the trail recently and there was a lot of wide space on the side where the boom mower type equipment cleared the ground and it was excellent for walkers and bicyclists.

Ms. Southard inquired what else the new equipment would be used for. Mr. Dreisbach advised it would be used along roadways for honeysuckle that poses visibility problems.

Mr. Smith inquired if the City had this type of equipment in the past. Mr. Dreisbach advised this would be a new purchase and in the past the City relied on aid from the Butler County Engineer's Office or Oxford Township. Mr. Dreisbach noted the City's needs had grown to the point that the other agencies were not able to assist as much as in the past.

Mr. Dana inquired if there was more than one provider of this equipment. Mr. Dreisbach advised there were other manufacturers although the best price would be obtained through state contract pricing.

Mr. Ellerbe inquired what the life expectancy was of the unit and Mr. Dreisbach advised 20 years.

Mr. Dana moved to adopt Resolution No. 5095. Mr. Ellerbe seconded. The motion passed 5-0-0.

RESOLUTION
INTENT TO ACQUIRE
CERTAIN PROPERTY

A Resolution No. 5096 to declare the necessity and intent to acquire fee simple interest in certain parcels or real estate and other property interests owned by Ella Mae Lawson, Trustee, with interest by others, for a road project in the City of Oxford, Ohio. (Doug Elliott, City Manager)

Mr. Elliott advised in 1966 the Heritage Subdivision II was approved by the Village of Oxford and the approved plat included a stub street shown as Parcel "A" which was never deeded over to the City. Mr. Elliott noted the road was constructed and there are two homes with garages that utilize the stub street. Mr. Elliott advised the City has maintained the stub street and it has been utilized as a public street to collect waste and recycling. Mr. Elliott noted recently Council approved the subdivision plat for Red Brick Estates which includes a street entitled Grace Lane which connects to the parcel "A" stub street. Mr. Elliott advised the City attempted to negotiate the purchase of the stub street from the current owner and was unsuccessful. Mr. Elliott noted the City was moving forward with legislation to acquire the property. Mr. Elliott advised a Notice of Intent to Acquire and Good Faith Offer was sent to the property owner and the City received no response within the 30 day period. Mr. Elliott noted yesterday, the City received a counter offer which was much higher than the appraised amount and staff was asking Council to pass the proposed Resolution of intent to acquire fee simple interest. Mr. Elliott noted an Ordinance related to this property acquisition was on the agenda for first reading.

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

Mayor Rousmaniere inquired if the owner rejected the City's offer. Mr. Elliott advised the owner did not contact the City or accept the City's offer within 30 days. Mr. Elliott noted recently the owner submitted a counter offer which was much higher than the appraised amount. Mayor Rousmaniere noted this process was used for property acquisition along 27 North and South for road improvements.

Ms. Southard moved to adopt Resolution No. 5096. Mr. Dana seconded. The motion passed 5-0-0.

ORDINANCES
FIRST READING

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Pubic Use, All Right Title And Interest In A Certain Parcel Of Property Located Along The West Side Of Country Club Drive For The Purpose Of Acquiring Fee Simple Interest For A Road Project In The City Of Oxford, Ohio And Declaring An Emergency. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed Ordinance would appropriate the property related to the Resolution that was just discussed. Mr. Elliott noted staff was asking Council to adopt the Ordinance as an emergency upon second reading.

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

ORDINANCE
NEW INVESTMENT POLICY

An Ordinance Repealing Ordinance No. 2944 And Adopting A New Investment Policy. (Joe Newlin, Finance Director)

Mr. Newlin referred to page 59 of Council's packet and addressed three areas of the investment policy he would like to update including Diversification, Maturity Guidelines and Permissible Investments. Mr. Newlin advised the Investment Committee of himself, Mr. Elliott, Mr. McHugh and Ms. Hill met this evening joined by Mr. Ryan Nelson of RedTree Investment Group. Mr. Newlin noted Mr. Nelson was in attendance to answer any questions.

Mr. Ryan Nelson, Managing Principal, RedTree Investment Group, advised RedTree Investment Group was located in Cincinnati and they focused on assisting public entities across the State of Ohio with their investment needs. Mr. Nelson noted RedTree Investment Group has served as investment advisor for the City of Oxford since 2013. Mr. Nelson advised RedTree began working with Mr. Newlin on a refresh of the investment policy noting the current policy was adopted in January of 2007. Mr. Nelson noted changes had been made to the Ohio Revised Code Chapter 135.14 related to investment laws for public entities and that language needed to be incorporated into the City's Investment Policy. Mr. Nelson advised the markets had changed over the last ten years and he wanted to ensure the City had the flexibility to invest monies as best as possible. Mr. Nelson noted the suggested changes for the Investment Policy refresh are more conservative than what the Ohio Revised Code Chapter 135.14 has for investment laws. Mr. Nelson addressed questions from Councilors.

ORDINANCES
SECOND READING

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3424 Approving A Conditional Use Permit To Allow A Place Of Worship Related Gathering/Study Space For Crossroads Community Church In The R-2MS (Single and Two-Family Mile Square Residential) District At 406 E. Withrow Street Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would allow a religious institution to occupy a vacant fraternity house. Mr. Chen noted the Planning Commission reviewed the request and the recommended conditions for approval were listed on page 69 of Council's packet. Mr. Chen advised the Pastor of Crossroads Community Church was in attendance to discuss how the premises would be occupied.

Ms. Lisa Kuhn, Pastor, Oxford Crossroads Community Church, noted the first 2 floors of the house at 406 E. Withrow had been restored and it had been vacant for two years. Ms. Kuhn advised Crossroads would have open hours there starting September 25th and they would offer free coffee, soft drinks, Wi-Fi and printing to the public. Mr. Kuhn advised this was study and community space with 4 meeting rooms a small kitchen and bathroom on the first floor. Ms. Kuhn noted there was a new front patio with an arbor and a nicely sodded lawn for concerts and other events. Mr. Kuhn advised a Homecoming Tailgate and concert was held last Saturday with 400 to 450 students and community members attending and it was wildly successful. Ms. Kuhn offered to give anyone interested a tour of their new space.

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

Mr. Dana noted he felt this was a very positive project, it will produce healthy, responsible behavior and it was an alternative to the off-campus lifestyle.

Mayor Rousmaniere inquired if there was still an issue with signage and Mr. Chen advised staff was working on the signage matter.

Mr. Dana moved to adopt Ordinance No. 3424. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Smith, Ms. Southard, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance No. 3425 Accepting the Planning Commission's Recommendation And Granting Zoning Map Amendments For Certain Properties In The City of Oxford's Mile Square A Map Of Which Is Attached Hereto as Exhibit "A" And Incorporated Herein, And Rezoning The Properties From R-1MS (Single-Family Mile Square Residential) District To R-2MS (Single And Two-Family Mile Square Residential) District, From R-2MS (Single And Two-Family Mile Square Residential) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District And From R-1MS (Single-Family Mile-Square Residential) District To R-3MS (Single, Two And Three Family Mile Square Residential) District. (Jung-Han Chen, Community Development Director)

Mr. Chen noted he had nothing to add since the first reading of the proposed Ordinance and advised a map of the proposed changes was on page 117 of Council's packet.

Mr. David Prytherch, 6195 Contreras Road, apologized for sending an email to Councilors at 5:00 p.m. Mr. Prytherch advised as someone who worked on the map amendments with the Planning Commission, Councilors, Wendy Moeller and staff, he was proud of the Planning Commission's accomplishment in developing the proposed Ordinance. Mr. Prytherch noted rather than look at just non-conformities he asked the Planning Commission to look at systemic issues, the underlying zoning. Mr. Prytherch advised student housing sprawl was addressed to bring more redevelopment into the urban core. Mr. Prytherch noted throughout that process what was nagging in his mind was the analogy of Uptown. Mr. Prytherch advised density was substantially increased in the Uptown District in the past and as a result redevelopment was stimulated. Mr. Prytherch noted redevelopment often means tear-downs and Historic Preservation was already in place for the Uptown District. Mr. Prytherch advised he felt we should have some sense of what kind of historic structures are out there and if they had any protections. Mr. Prytherch noted outside of the Uptown or other Historic Districts there was zero protection for historic structures and the only thing standing between a structure and its demolition is the landlord and his or her preferences. Mr. Prytherch advised he felt there were times in which you can move forward in two directions at the same time, you can make progress while trying to make sure you are preserving what makes your community distinct. Mr. Prytherch noted he felt the proposed Ordinance was perfect except we offer no protection other than trying to carefully over incentivize the destruction of historic structures. Mr. Prytherch advised the language of the Ordinance was good but if he were still on the Planning Commission he would have voted to table the matter until a serious look was taken at whether we can do historic preservation outside of the Uptown District and if it merits it. Mr. Prytherch noted the reality in Planning is public welfare and private property rights and it's a give and take. Mr. Prytherch advised this was the most substantial zoning change he has been involved with during his time on the Planning Commission and it deals with a part of town that includes historic structures.

Mr. Chen recommended Council consider the legislation before them and at the same time ask the HAPC to consider inventorying historic structures in the areas in question.

Mr. Chen noted the creation of any type of overlay district must be reviewed by the Planning Commission for recommendations to City Council. Mr. Smith as Council's representative on the HAPC advised the HAPC oversees two of the three Historic Districts noting the third one is owned by Miami University and the HAPC did not have a lot of jurisdiction there. Mr. Chen noted he felt the HAPC could look at the areas in question although their determination would need to go before the Planning Commission for any recommendations to Council. Mr. Smith noted he felt a Historic District or an Overlay District would need to be created. Mr. McHugh advised the HAPC has no statutory authority beyond what it is already charged with. Mr. McHugh noted an inventory and a determination of what area should be preserved could be done and then expand the underlying fundamental authority of the HAPC.

Mr. Dana inquired if Council could ask the HAPC to conduct an inquiry to determine the cases that may be regarding steps to preserve areas that are not currently in the Historic Districts and Mr. McHugh advised yes.

Ms. Southard advised she had served on the Planning Commission for several months and had not heard Mr. Prytherch's concerns and inquired why it was coming up now. Mr. Chen advised the topic of historical structures did come up during a Planning Commission Work Session. Mr. Chen noted the Planning Commission recommended amending the design guidelines and requiring certain architectural features in the multi-family districts for redevelopment projects. Ms. Southard inquired if it would be too late for the HAPC to do an inventory of historical structures if Council adopted the proposed Ordinance this evening.

Mr. Scott Webb, advised he spent a lot of time with the Planning Commission as they worked through all of the proposed legislation. Mr. Webb noted with all due respect to Mr. Prytherch he did not feel historic preservation was ignored in any way. Mr. Webb advised the map amendment was the result of a walk-about by Planning Commission members and the map was crafted to protect certain areas. Mr. Webb noted proposed changes in zoning that would promulgate demolitions were specifically targeted and chosen by the Planning Commission and Council was only considering changes that are being designated to a new R3 district. Mr. Webb advised with regard to areas where demolitions may occur additional design guidelines were added and other alternatives were provided such as allowing carriage houses which is reflected in the proposed accessory regulations. Mr. Webb noted in his opinion there was a lot of consideration by members of the Planning Commission to absolutely not ignore historic preservation.

Mr. Dana inquired if Mr. Webb felt moving in the direction of having an Ordinance of any kind that would require developers to pass through as it were certain criteria is not necessary and redundant because of the very extensive historical design guidelines that are in the proposed Ordinances.

Mr. Webb noted the creation of a new Historic District and changing people's property rights with regard to demolition was a huge undertaking by City Council and by the Planning Commission to write the new legislation to create the new district. Mr. Webb advised he felt historic preservation was absolutely considered in this process and that was why Council had the proposed zoning map amendment before them this evening.

Mr. Webb noted if a larger effort were deemed necessary by City Council to create new historic districts it would be a 1-2 year process and he would not advise tabling the legislation before Council this evening.

Mr. Smith moved to adopt Ordinance No. 3425. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Smith, Ms. Southard, Mr. Dana, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.03

An Ordinance No. 3426 Repealing Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single Family Residential Mile-Square District, And Adopting New Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new to add since the first reading of the proposed Ordinance.

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. 3426. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.05

An Ordinance No. 3427 Repealing Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new to add since the first reading of the proposed Ordinance.

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

Mr. Dana referred to page 145 of Council's packet and commented on the Design Standards which Mr. Webb spoke in regard to. Mr. Chen advised page 145 pertained to the next Ordinance on the agenda.

Mr. Smith moved to adopt Ordinance No 3427. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Mr. Dana, Mr. Ellerbe, Mr. Smith, Mayor Rousmaniere (5)

NAY: None (0)

ABS: none (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.07

An Ordinance No. 3428 Repealing Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single and Two-Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single, Two and Three-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to the Design Standards on pages 155-161 of Council's packet and advised they only applied to the R3 MS District at this time.

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

Mr. Dana referred to page 153 of Council's packet which states in part "the purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings". Mr. Dana advised he felt this was a worthy goal.

Mr. Dana moved to adopt Ordinance No. 3428. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Smith, Ms. Southard, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1141.01

An Ordinance No. 3429 Repealing Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations, And Adopting New Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new to add since the first reading of the proposed Ordinance.

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

Mayor Rousmaniere referred to page 162 of Council's packet which states in part "the Planning Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building just to accommodate one additional unit".

Mr. Dana moved to adopt Ordinance No. 3429. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Smith, Ms. Southard, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1141.03

An Ordinance No. 3430 Repealing Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations, And Adopting New Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing new to add since the first reading of the proposed Ordinance.

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

Mr. Dana moved to adopt Ordinance No. 3430. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Smith, Ms. Southard, Mr. Dana, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1147.03

An Ordinance No. 3431 Repealing Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns, And Adopting New Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed changes to this Section of the zoning code appeared on page 192 of Council's packet.

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

Mr. Dana moved to adopt Ordinance No. 3431. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Ms. Southard, Mr. Dana, Mr. Ellerbe, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1101.4

An Ordinance No. 3432 Repealing Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards And Construction Standards, And Adopting New Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards And Construction Standards. (Jung-Han Chen, Community Development Director)

Mr. Smith moved to adopt the proposed Ordinance. Mr. Ellerbe seconded.

Mr. Dana moved to adopt a substitute Ordinance for agenda item 6.B.9. Ms. Southard seconded. The motion passed 5-0-0.

Mr. Chen noted at the last meeting there were concerns regarding the potential costs to property owners and developers with the adoption of the Ordinance as written. Mr. Chen advised staff worked with a local engineering firm to revise the language with regard to Section 402, Sensitive Development Areas to reduce potential costs for developers.

Mayor Rousmaniere noted the local engineering firm was besieged with questions regarding this issue and their response was very helpful. Mayor Rousmaniere advised the Environmental Commission who helped bring the legislation forward heard the concerns and agreed with the recommended changes.

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

Mr. Dana referred to page 207 of Council's packet regarding Street Connectivity and inquired how the connectivity index of 1.25 was chosen. Mayor Rousmaniere asked Mr. Chen to explain what a connectivity index was. Mr. Chen advised it was a formula between the nodes and the links and noted there were no one way streets in any subdivision. Mr. Chen advised the street connectivity index is a ratio between the links and the nodes and provides multiple streets in and out of a subdivision. Mr. Elliott referred to page 208 which states "the measure of connectivity is the number of street links divided by the number of nodes". Mr. Chen advised this index was adopted in 2011 after research by the Planning Commission.

Mr. Ellerbe inquired if this was still a second reading since the language was substituted and Mr. McHugh advised yes.

Ms. Southard moved to adopt Ordinance No. 3432. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Southard, Mr. Dana, Mr. Ellerbe, Mr. Smith, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE
AMENDING ZONING CODE
SECTION 1145.12

An Ordinance No. 3433 Repealing Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design, And Adopting New Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design.(Jung-Han Chen, Community Development Director)

Mr. Chen advised the previous Ordinance applied to subdivisions only with regard to Sensitive Areas and this Ordinance applied to Planned Developments with regard to Sensitive Areas.

Mr. Ellerbe moved to adopt the proposed Ordinance. Mr. Dana seconded.

Mr. Dana moved to adopt a substitute Ordinance for agenda item 6.B.10. Mr. Ellerbe seconded. The motion passed 5-0-0.

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

Mr. Dana referred to page 227 of Council's packet item E "The development shall be laid out to avoid adversely affecting groundwater" and noted it was timely because the new Stormwater Manual had just been adopted.

Mayor Rousmaniere advised the new Subdivision and Planned Development Ordinances came from the Environmental Commission from Ms. Southard's request to revise the environmental conditions particularly for Planned Developments.

Mr. Dana moved to adopt Ordinance No. 3432. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. Smith, Mr. Dana, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance No. 3434 Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Newlin advised there were no changes since the first reading of the proposed Ordinance.

Mayor Rousmaniere noted additional monies were included in the Supplemental Budget for the purchase of the new mower as discussed earlier this evening.

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

Ms. Southard moved to adopt Ordinance No. 3434. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Smith, Ms. Southard, Mr. Dana, Mayor Rousmaniere (5)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public with regard to a request from Glenwood Energy for an updated Ordinance and tariff request.

Mr. Elliott reminded everyone of the Budget Work Session scheduled for Wednesday, October 11th at 6:30 p.m.

Mr. Elliott advised the proposed Charter Amendments will appear on the November ballot as Issue 5. Mr. Elliott noted he made a presentation to the Kiwanis Club last week and would meet with several other organizations in the upcoming weeks.

Mr. Elliott noted he met with Councilor Southard and Ann Whelpton to discuss the proposed food pantry at the City's Merry Day Park property. Mr. Elliott advised Chief Detherage was exploring funding options to include a storm shelter as part of the project or in conjunction with it.

Mayor Rousmaniere inquired if there were any tornado shelters in that area and Chief Detherage advised no.

Ms. Southard noted the proposed shelter would be a separate facility from the food pantry and Chief Detherage has preliminary approval for a grant application.

Mr. Kyger noted the Oxford Asian Market at 5930 Fairfield Road opened Saturday and the former Oxford Asian Food Mart at 5280 College Corner Pike has moved to Fairfield Road. Mr. Kyger advised the College Corner Pike location will become China Homestyle Café and will be open soon. Mr. Kyger noted the same owner of those establishments also owns the Uptown International Mini Market at 33 W. High Street.

Mr. Dana noted Mr. Kyger was working with the City of Oxford and Miller Valentine developers on constructing some non-student housing.

Ms. Southard noted the CROP Walk was held Uptown on Sunday which is a national event which began in 1947. Ms. Southard noted 800 students participated in the event to eliminate hunger and ¼ of the proceeds will go to the Oxford Community Choice Pantry. Ms. Southard advised this was another example of great town/gown collaboration.

Mayor Rousmaniere advised Management Partners will be talking to various people over the next few weeks regarding the City of Oxford's court options.

Mayor Rousmaniere noted Saturday, September 23 would be a busy day with Hike-A-Thon Plus in the morning and the UniDiversity Festival in the afternoon/evening.

ADJOURN

Mr. Dana moved to adjourn at 9:35 p.m. Mr. Smith seconded. The motion passed 5-0-0.