A Work Session of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, October 21, 2008 at 6 P.M. Those Council members present were, Doug Ross, Kate Currie, and Ken Bogard. Greig Rutherford arrived at 6:07 p.m. and Alysia Fischer arrived at 7:10 p.m. Richard Keebler was excused.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; Alan Kyger, Economic Development Director; Joe Newlin, Finance Director; Heidi Hill, Accounting Manager; Gail Brahier, Parks and Recreation Director; Jung-Han Chen, Community Development Director; Kathy Dale, Planner; Steve McHugh, Law Director and Mary Ann Eaton, Deputy Clerk of Council.

APPROVAL OF AGENDA

Mr. Ross moved approval of the Agenda. Ms. Currie seconded. The motion carried 4-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information from various social service agencies.

BUDGET (SOCIAL SERVICE AGENCIES)

Mr. Elliott advised the draft Budget included the same funding levels for 2009 as for 2008.

Council heard requests from the various agencies including the Oxford Community Foundation, Oxford Senior Citizens Center, the Family Resource Center, the Oxford Visitors and Convention Bureau, and the Oxford College Corner Clinic.

Mayor Dana advised she would like to keep the funding levels the same as last year and revisit the issue in three to six months.

ADJOURNMENT

Mr. Rutherford moved to adjourn at 7:13 p.m. Mr. Ross seconded. The motion carried 6-0-0.

A regular meeting of the Oxford City Council was called to order by Mayor Prue Dana on Tuesday, October 21, 2008 at 7:30 p.m. Those members present were Ken Bogard, Alysia Fischer, Kate Currie, Doug Ross, and Greig Rutherford. Richard Keebler was 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; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Deputy Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Ms. Fischer moved to adjourn to Executive Session at 7:16 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions and (3) Pending litigation. Ms. Currie seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Ross, Ms. Fischer, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

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

AYE: Ms. Currie, Mr. Ross, Ms. Fischer, Mr. Bogard, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIENCE

Mayor Dana requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Currie moved to amend the agenda by substituting Ordinance 6.A.1. for first reading as a 100% substitution for Ordinance 6.B.6 under second reading. Mr. Bogard seconded. The motion passed 6-0-0.

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

PUBLIC PARTICIPATION

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Fischer moved to appoint Sue Morris to the Civil Service Commission for a 3 year term and Kathleen Knight Abowitz and Michael Collins to the Community Relations Commission for 3 year terms. Mr. Bogard seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Mr. Bob Coley, 30 Hidden Creek Drive, advised he owned the UPS Store at Stewart Square. Mr. Coley requested Council to approve the installation of a crosswalk at Beech and Spring Streets due to the increased foot- traffic in this area. Mr. Coley provided Mr. Dreisbach with pictures of the particular intersection.

Mr. Thad Boggs, 109 Ardmore Drive, Secretary, Off Campus Affairs, advised the Homecoming Parade would take place on Friday at 6:00 p.m. from High Street to Cook Field where a Pep-Rally would commence followed by fireworks at 9:00 p.m. Mr. Boggs noted the Bill Foley Band would perform in the Uptown Park on Saturday and a pumpkin carving event would take place on Sunday at 319 West Withrow Street from 1:00 p.m. to 3:00 p.m. sponsored by the Oxford Tenants Organization and the Northwest Mile Square Association. Mr. Boggs encouraged the entire community to participate in the festivities.

Ms. Kathleen Zien, 6060 Joseph Drive, noted when the inability to get the South 27 gas station referendum on the November ballot was brought up at the October 7th Council Meeting by Betty Rogers and Cal Conrad the Mayor read prepared text. Ms. Zien noted her feeling it was not understandable in legalese or in the explanation Mr. McHugh provided what procedure had not been followed. Ms. Zien advised her feeling staff should have offered what needed to be done when the paperwork was being picked up or delivered. Ms. Zien requested an email copy of the prepared text read by Mayor Dana on October 7, 2008 that was to explain why the referendum petition was not certified. Ms. Zien noted her feeling the City wanted citizen's attempts at democracy to fail.

Ms. Zien noted she was glad to see citizen comments on pages 35-50 of the agenda and inquired if Ms. Fischer was the only one who forwarded citizen comments to staff. Ms. Zien noted two corrections in the agenda and thanked staff for making two corrections she discussed at the last meeting.

Ms. Zien commended staff for the weekly yard waste pick up and monthly drop off option. Ms. Zien commended staff for the timely clean up after last month's wind storm.

CONSENT AGENDA

MINUTES

Minutes of the October 7, 2008 City Council Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

Minutes of the October 8, 2008 City Council Special Meeting. (Mary Ann Eaton, Deputy Clerk of Council)

REPORTS

Report regarding the September 30, 2008 Planning Commission Special Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the October 1, 2008 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTIONS

RESOLUTION
AGREEMENT WITH
BUTLER COUNTY/CARGILL

A Resolution No. 4392 authorizing the City Manager to enter into an agreement with Butler County and/or Cargill, Inc. for the purchase of road de-icing materials. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION
WAIVE FEES

A Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings and Street Department Personnel for the 2008 State to State Half Marathon and 5K Run. (Doug Elliott, City Manager)

Mayor Dana advised the group had not paid for City services in the past and had requested the fees be waived for their 2008 event.

Mr. Dreisbach advised the group applied for a Right-Of-Way permit in February which was approved with the stipulation of a $1,700.00 fee for street closings and Street Department personnel. Mr. Dreisbach noted his feeling the fees should not be waived as they were legitimate expenses incurred by the City. Mr. Dreisbach noted there was a Police presence during the event provided through the FOP which had already been paid for.

Mr. Bogard noted there appeared to be a misunderstanding or an assumption that fees would be waived for the event. Mr. Bogard advised he would be willing to waive the fees for the 2008 event.

Mr. Rutherford inquired if $1,700 was the entire cost to the City and Mr. Dreisbach noted this was the direct expense for overtime and materials. Mr. Rutherford noted a policy may need to be put in place regarding the matter.

Ms. Currie noted her feeling the City could not keep absorbing costs for events.

Mr. Ross was not in favor of waiving the fees noting his feeling it would not be a hardship on the group.

Ms. Fischer agreed with Mr. Ross and Ms. Currie and noted she could not support waiving the fees.

Mayor Dana advised she would support waiving the fees for this year's event only and noted her feeling the fees should not be waived in future years.

Mr. Rutherford moved to adopt the Resolution. Mr. Bogard seconded. The Resolution failed by the following roll call:

AYE: Mr. Bogard, Mr. Rutherford, Ms. Dana (3)

NAY: Ms. Currie, Ms. Fischer, Mr. Ross. (3)

ABS: None (0)

ORDINANCES
FIRST READING

ORDINANCE
CONDITIONAL USE

An Ordinance Approving A Conditional Use Permit For A Gas Station And Convenience Store In The General Business (GB) District At 300 South Locust Street. (Jung-Han Chen, Community Development Director)

Mr. Chen advised at the last meeting Council directed staff to provide legislation in favor of the gas station with conditions. Mr. Chen read the conditions stipulated in the proposed Ordinance and noted Council could add to the conditions for the second reading if they wished.

Mr. Jonathon Wocher, Planner, McBride Dale Clarion, provided a PowerPoint presentation showing the modified plan and how it related to the conditions proposed. Mr. Wocher requested Council to remove the condition related to upgrading the traffic signal that controls the ingress/egress from Locust Street to the proposed gas station and store expansion area. Mr. Wocher noted the traffic signal was functional and it was not on the Schottenstein property. Mr. Wocher noted he appreciated Council's consideration.

Mr. Scott Webb, spoke on behalf of the Oxford Chamber of Commerce. Mr. Webb advised the Chamber supported the project and thanked Council for considering the fuel center.

Ms. Kathleen Zien, 6060 Joseph Drive, noted gas prices in other city's such as Hamilton and Forest Park were lower than at stations in Oxford and the ten cent reward program at Kroger's was not a bargain. Ms. Zien noted her feeling Kroger's would expand their footprint with or without a fuel station. Ms. Zien noted her feeling the limited commercial space in Oxford needed to be used wisely. Ms. Zien predicted if the fuel center was approved at least one existing gas station would go out of business within a year leaving yet another vacancy. Ms. Zien noted her feeling the City could not support another gas station and certainly not at the expense of already established gas stations. Ms. Zien noted there was too much profit for Oxford Kroger's to leave and provided Council with cost comparisons on groceries from other area Kroger's stores which were lower than Oxford Kroger's. Ms. Zien discussed the outdoor displays as shown on page 215 of the agenda and the outdoor areas in general and distributed pictures of various Kroger's locations for the Clerk to include in Council's Friday packet.

Mr. Bill Levenderis, 6066 Contreras Road, spoke in favor of the project and noted his hope Council would approve the fuel station.

Mr. Clay DePew, 3955 Millville Oxford Road, spoke in favor of the project noting he did not want to see Kroger's turn into a Wal-Mart situation by moving to the outskirts of town.

Ms. Fischer addressed condition h. regarding the traffic signal and noted her feeling upgrading the traffic signal was a part of doing business. Ms. Fischer noted she and Mr. Keebler disagreed on the matter.

Ms. Currie noted she initially opposed another gas station in town. Ms. Currie noted she had gone back and forth on the issue as she didn't think another business would be willing to improve the area. Ms. Currie noted landscaping and the upgrade of the traffic signal would improve that corridor.

Mr. Rutherford noted his feeling upgrading the traffic signal was not prudent as it was serviceable. Mr. Rutherford noted another proposal was coming regarding the old Wal-Mart site and could bring significant modifications.

Mr. Rutherford noted if US-27 South/State Route 73 was rerouted through the City significant modifications could occur at that time. Mr. Rutherford noted he would prefer to see the landscaping extend from curb cut to curb cut. Mr. Rutherford noted he looked favorably on the project.

Mr. Ross inquired if Marathon and Speedway were allowed to have merchandising boxes and Mr. Chen advised yes, as a temporary use under the current zoning code. Mr. Chen noted the Kroger's project was a conditional use and Council could place stipulations on anything they chose to. Mr. Ross noted he would like to see additional trees in the landscaping plan.

Mr. Bogard noted Kroger's was a neighborhood store even though it was a large corporation and many people walked to the store. Mr. Bogard agreed with Mr. Rutherford with regard to landscaping. Mr. Bogard noted this was an important project and he looked forward to seeing it move forward.

Mr. Elliott suggested Council keep item h. related to upgrading the traffic signal in the conditions since the old Wal-Mart site proposal had not been approved yet. Mr. Elliott suggested money could be put into an escrow account towards the upgrade.

Mr. Wocher advised the proposal did not increase the number of curb cuts. Mr. Wocher noted Kroger's was not opposed to making the signal functional but upgrading to mast arms was an aesthetic issue at a significant cost.

Mayor Dana requested that the engineering department provide additional information prior to the next meeting regarding the issue.

Mayor Dana inquired about the additional landscaping request and Mr. Wocher and Mr. Trencamp addressed the matter noting parking was a sensitive issue and needed for peak times as well as for employee parking. Mr. Wocher noted he would work with staff on a revised landscaping plan for the second reading of the proposed Ordinance.

ORDINANCE
EXTEND CONDITIONAL USE

An Ordinance Approving The Extension Of The Conditional Use Permit For A Banking Facility With A Drive-Through (Miami University Community Federal Credit Union), Approved By Ordinance No. 2932, On November 21, 2006, For A Period Of Six Months. (Jung-Han Chen, Community Development Director)

Mr. Chen summarized the Staff Report on page 51 of the agenda.

Mr. Rick Parker, President/CEO, addressed Council noting construction was slated for mid to late 2009.

Ms. Kathleen Zien, 6060 Joseph Drive, inquired what the time frame was for a Conditional Use Permit and Mr. Chen advised it was two years.

Mr. Ross inquired if the oak trees would remain on the property and Mr. Parker advised yes.

**ORDINANCE
ADOPTING THE
COMPREHENSIVE PLAN**

An Ordinance Adopting The Comprehensive Plan Of The City Of Oxford Pursuant To Charter Section 8.07. (Jung-Han Chen, Community Development Director)

Ms. Dale noted she was pleased to provide the final draft of the Comprehensive Plan which had been in the process for a year with the assistance of ACP Planning and Visioning out of Columbus, Ohio who assisted in the 1998 update and the Steering Committee who worked very diligently to make sure the process was clean and inclusive of the community.

Mr. Jamie Greene, ACP Planning and Visioning, advised it was a pleasure and privilege to work with Oxford again noting the community was compassionate and committed. Mr. Greene noted the process had been challenging partly because the issues were complex. Mr. Greene discussed the various stages of the process where the public participated. Mr. Greene discussed the key recommendations which included: preserving the small-town character, enhancing the mile square, giving priority to infill and redevelopment, the importance of stewardship, the importance of agricultural grounds and natural areas, economic prosperity, variety of transportation options and cooperation within the greater Oxford community. Mr. Greene discussed the plan structure which addressed all of the issues.

Ms. Dale discussed the Planning Commission's involvement noting they wanted to respect all of the comments and input from the public. Ms. Dale noted the Planning Commission wanted to ensure they understood the wording and intentions in the document as well as the implementation process. Ms. Dale discussed the changes the Planning Commission made to the document.

Ms. Sondra Engel, 301 Miami Trail, spoke on behalf of the League of Women Voters, commended the steering committee especially for the section on housing noting it was greatly improved from the 1998 plan.

Ms. Mary Neisius, 5457 Hester Road, advised she was pleased to see the comments regarding stewardship in the community and noted her appreciation for the fact it was an important issue in the Comprehensive Plan Update. Ms. Neisius noted her hope the stewardship would carry over to all projects in the community for revitalization and redevelopment.

Mayor Dana advised the Comprehensive Plan Update document was available on the City's website.

Mr. Clay DePew, 3955 Millville Oxford Road, noted as the City expanded large tracts of land were disappearing and strongly encouraged Council to designate walking paths along the natural areas as these tracts were developed.

Mayor Dana advised the Ordinance would be adopted at the next meeting and inquired if Council wanted to schedule a Work Session to go through the document page by page prior to the next meeting.

Ms. Fischer noted being on the Planning Commission she had the opportunity to ask questions and receive clarification.

Mr. Bogard noted his feeling Council had been involved in the development of the document and did not encourage a Work Session. Mr. Bogard noted regulatory tools were going to be necessary for implementation of the plan. Mr. Bogard advised he was going to compare this plan to the Oxford Township's Plan.

Mr. Rutherford noted this was a substantial and important document. Mr. Rutherford noted his feeling Council should discuss the document over the next three to four meetings. Mr. Rutherford noted concern with rushing through the process.

Ms. Fischer noted the Planning Commission discussed the document in two meetings and a third public meeting.

Ms. Currie noted she was not in favor of continuing the discussion over the next three to four meetings and inquired if Mr. Rutherford had his concerns ready for discussion tonight and Mr. Rutherford advised he did not.

Mr. Elliott advised if the majority of Council agreed with Mr. Rutherford a Work Session would be the better option for discussion of the document.

Mr. Ross noted his feeling the document should be adopted at the next meeting. Mr. Ross advised Mr. Greene and Ms. Dale had been most professional and respectful during the process and encouraged members of Council as well as citizens to contact them with questions or concerns.

Mayor Dana noted she heard a desire to move forward with the process and encouraged Council members to meet with staff prior to the next meeting if they had specific concerns or questions.

Ms. Dale noted it was a pleasure to work on this project with the citizens, Council, the Steering Committee, Planning Commission and ACP.

ORDINANCE
NEW SECTION 1139

An Ordinance Repealing Zoning Code Section 1139, Variances, And Adopting New Section 1139, Variances. (Jung-Han Chen, Community Development Director)

Mr. Chen summarized the staff report on page 59 of the agenda and noted the proposed Ordinance would modify the decision standards for variance requests. Mr. Chen advised the primary change to Chapter 1139 would reflect the decision standards established in the Ohio Supreme Court case *Duncan v. Village of Middlefield.*

Mr. McHugh noted the intent of the proposed Ordinance was to tighten the Board of Zoning Appeals ruling process to avoid legal issues.

Mr. Scott Webb, referred to page 63 of the agenda and inquired why A. was highlighted and Mr. Chen advised it was language the Planning Commission added from the Duncan case. Mr. Webb inquired how the proposed legislation would affect current BZA cases and Mr. McHugh advised cases would be judged on the new criteria 30 days after adoption by Council.

Ms. Fischer noted the Planning Commission had concerns with item B. on page 63 of the agenda with regard to 'reasonable return' and stated she wasn't sure if it was fully clarified for the Planning Commission and Mr. McHugh addressed the issue. Mr. McHugh also advised the Planning Commission added the language to item C. which appeared in parenthesis and added item I.

Mr. Rutherford noted concern with item C. on page 63 of the agenda '(i.e. it is the minimum requested variance necessary to relieve the alleged practical difficulties.)' and Mr. McHugh advised the BZA would have to decide whether something requested was the minimum based on the evidence presented. Mr. Elliott also expressed concern with that particular language. Mr. Rutherford advised item A. was meant to be an instruction not a decision standard and noted he could foresee legal jeopardy with regard to it. Mr. McHugh suggested removing item A. on page 63 as it was already stated on page 62 under item (c) (2) Decision Standards.

ORDINANCES
SECOND READING

ORDINANCE
NEW WATER
SERVICE

An Ordinance No. 3020 Granting The Request Of Dr. John Benamati To Connect To And/Or Extend An Existing Water Line For A New Single-Family Residence To Be Located On Hillcrest Drive In Oxford Township, And Finding Oxford Code Section 921.41 (C)(3) Has Been Met. (Mike Dreisbach, Service Director)

Mr. Dreisbach summarized the staff report on page 66 of the agenda and noted he proposed an amendment to the Annexation Policy to address providing utilities to properties that were not contiguous to the City.

Mr. John Benamati, Somerville Road, requested clarification with regard to signing an annexation agreement and Mr. Dreisbach advised all owners of record would agree to annex into the City at the City's request.

Mr. Bogard inquired about the fairness of some property owners being required to annex into the City prior to receiving services and Mr. Dreisbach advised this was specific to properties that were not contiguous to the City.

Ms. Currie moved to adopt Ordinance No. 3020. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Fischer, Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
NEW SECTION 1101

An Ordinance No. 3021 Repealing Zoning Code Section 1101, Subdivision Regulations, And Adopting New Section 1101, Subdivision Regulations To Add New Section 1101.07 Open Space Cluster Residential Development. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the intent of the Planning Commission was to create a non-traditional development tool to allow and entice the preservation of open space while respecting the rights of individual property owners.

Mr. Rutherford suggested improvements to the definition sections of the Zoning Code.

Ms. Fischer moved to adopt Ordinance No. 3021. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Ross, Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
PRELIMINARY APPROVAL

An Ordinance No. 3022 Approving The Planning Commission's Recommendation For Preliminary Approval Of A Hester Road Residential Subdivision. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance dealt with the division of 6.25 acres of land into 20 lots and utility service and had nothing to do with the end user.

Mr. Scott Webb, Architect, noted a lot of questions had been raised with respect to the project regarding traffic, density and utilities. Mr. Webb advised traffic and density issues were taken into consideration when the property was zoned R1B and utilities were addressed as required for a preliminary subdivision application. Mr. Webb noted affordable housing had been a desire of Council for a long time and this application met all of the requirements of a preliminary subdivision.

Ms. Mary Neisius, 5457 Hester Road, referred to Mr. Chen's opening comment and noted the statement made about low income housing was inappropriate. Ms. Neisius encouraged Council to look at the number of trees that would be required for the proposed project.

Mr. Jim Gross, 6271 Hester Road, advised he felt empathy for homeowners on Honor, Dufour and Hester Roads. Mr. Gross noted his feeling their property values would decrease as a result of the proposed project and existing home sales would decline. Mr. Gross noted his feeling Habitat was a wonderful project but usually they built one or two homes in an established neighborhood. Mr. Gross noted his feeling 20 homes on this property were too many and it would create a new problem for the City. Mr. Gross encouraged Council to look at Fire and Police issues as well.

Mr. Bill Levenderis, 6066 Contreras Road, noted there was no plan for how long the property would be under construction, how much the homes would cost, where the applicants would come from, and who was going to do the sweat equity. Mr. Levenderis encouraged Council to scrutinize the proposal and consider if the timing was right.

Ms. Fischer noted she was troubled by people discussing the potential owner of the property as this was a preliminary subdivision application and Council had to consider their subdivision decision standards and treat everyone fairly. Ms. Fischer noted Council could not apply a new set of standards based on who might own the property. Ms. Fischer noted the application met the subdivision standards.

Mr. McHugh noted Council was acting in an administrative capacity with regard to subdivisions and they were bound by review of the administrative regulations.

Mr. Ross inquired what Council's charge was this evening and Mr. Chen advised Council's charge was to accept or deny the recommendation from the Planning Commission.

Mr. Rutherford reiterated this was a preliminary application and noted much more information would be forthcoming as the project progressed. Mr. Rutherford inquired what the approximate lot size would be compared to other lots in this zoning district and Mr. Webb addressed the issue. Mr. Rutherford stated the minimum lot size in this zoning district was 7,500 square feet and these lots were between 8,400 and 17,000 square feet. Mr. Rutherford inquired if these lots were large enough for a substantial house and a yard for children to play in and Mr. Webb noted there would be the same opportunity as in any subdivision in town. Mr. Rutherford inquired what the development schedule would be and Mr. Webb advised all he was looking for tonight was the approval to investigate the project further.

Ms. Fischer noted these questions were off the topic and called the question.

Ms. Currie moved to adopt Ordinance No. 3022. Ms. Fischer seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Ms. Dana (5)

NAY: Mr. Ross (1)

ABS: None (0)

ORDINANCE
NEW SECTION 1143.10

An Ordinance No. 3023 Repealing Zoning Code Section 1143.10, Uptown District, And Adopting New Section 1143.10, Uptown District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance would move sidewalk sales from a conditional use to a permitted use in the Uptown District. Mr. Chen advised the fee would be discussed during the budgetary process.

Mr. Scott Webb, spoke in favor of the proposed Ordinance on behalf of the Oxford Chamber of Commerce.

Mr. Bogard noted he was in favor of improving commercial activity in the Uptown area and encouraged the Chamber of Commerce to become involved with streetscape improvements.

Ms. Currie moved to adopt Ordinance No. 3023. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Rutherford, Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Ross, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE

An Ordinance No. 3024 Approving A Conditional Use Permit For A Pharmacy Drive-Through In The General Business (GB) District at 300 South Locust Street. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the site plan had been revised as shown on page 202 of the agenda with no cut-through from Locust Street to McGuffey Avenue.

Mr. Jonathon Wocher, Planner, McBride Dale Clarion, advised he had no new information and encouraged Council to approve the Conditional Use application as submitted.

Mr. Rutherford noted concern with Mr. Popescu's memo on page 180 of the agenda and Mr. Chen advised the memo was written prior to the site plan revision.

Ms. Fischer moved to adopt Ordinance No. 3024. Mr. Rutherford seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Ms. Fischer, Mr. Ross, Mr. Rutherford, Ms. Dana (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the second budget Work Session occurred this evening and suggested cancelling the third budget Work Session scheduled for October 23rd. Mr. Elliott advised the 2009 appropriation Ordinance was scheduled for the November 4, 2008 meeting. Mr. Elliott noted he would meet with the VCB as commitments were made regarding their lease.

Mr. Elliott commented on the referendum petition.

Mr. Chen encouraged Council to contact staff with any concerns or questions regarding the Comprehensive Plan Update.

Mr. McHugh commented on the referendum petition.

Mr. McHugh noted in checking with the Clerk that the motion to fill the Civil Service position referred to the person whose term had expired.

Ms. Fischer moved to correct the earlier motion by appointing Ms. Karen Martino to the Civil Service Commission for a three year term ending June 30, 2011. Mr. Ross seconded. The motion passed 6-0-0.

Mr. Ross encouraged everyone to vote early.

Mr. Rutherford encouraged everyone to vote and to support the school district.

Mr. Bogard advised he received compliments from a citizen on the sidewalk and handicap ramp replacements and repairs and other enhancements throughout the City.

Ms. Fischer advised the SCRC was meeting on Friday and would discuss a process for determining new Miami Metro bus stops. Ms. Fischer encouraged Council to let her know if they had ideas for this discussion.

Mr. Bogard requested an update from the Parking and Alternative Transportation Committee.

Ms. Currie noted she voted early and the process was very easy at the new Board of Elections on Princeton Road.

Mayor Dana requested the Service Department to address the request for a new crosswalk at Beech and Spring Streets.

ADJOURN

Mr. Bogard moved to adjourn at 10:40 p.m. Ms. Currie seconded. The motion passed 6-0-0.

A work session of the Oxford City Council was called to order by Mayor Prue Dana on Thursday, October 16, 2008 at 6 P.M. Those Council members present were, Doug Ross, Alysia Fischer, Kate Currie, Richard Keebler, Greig Rutherford and Ken Bogard.

Staff members present: Doug Elliott, City Manager; Mike Dreisbach, Service Director; Donna Heck, Human Resources Director; Alan Kyger, Economic Development Director; Steve Schwein, Police Chief; Joe Newlin, Finance Director; Gail Brahier, Parks and Recreation Director; Jung-Han Chen, Community Development Director and John Detherage, Fire Chief.

APPROVAL OF AGENDA

Mr. Keebler moved approval of the Agenda. Mr. Bogard seconded. The motion carried 7-0-0.

PURPOSE

The purpose of the Work Session was for Council to receive information regarding the annual Personnel Improvement Plan and 2009 Budget.

PERSONNEL IMPROVEMENT PLAN

Mr. Elliott summarized sections of the Personnel Improvement Plan for 2009 which included an Introduction, Existing Conditions, Work Plan and Accomplishments.

Ms. Heck expanded on certain areas of then plan and answered questions from Council.

BUDGET

Mr. Elliott provided an explanation of the budget document which included an introduction summarizing the 2008 fiscal year and how it related to the 2009 operating budget. Mr. Elliott and Mr. Newlin discussed the general fund revenues and expenses and noted major points from other funds and answered questions from Council.

ADJOURNMENT

Ms. Fischer moved to adjourn at 8:30 p.m. Mr. Rutherford seconded. The motion carried 7-0-0.