

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, October 15, 2013 at 6:45 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger Economic Development Director; 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) (2) for the purpose of discussing property acquisition. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

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

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. McKeehan moved to approve the agenda. Mr. Snyder seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION

'CHANGE YOUR CLOCK, CHANGE YOUR BATTERY DAY'

Mayor Keebler read the Proclamation and presented it to Chief Detherage.

PUBLIC COMMENTS

Mr. Larry Rankin, 610 French Drive, commended Ms. Brahier and the Parks and Recreation staff for making some repairs he brought to their attention in a timely manner regarding equipment at the Community Park and at the TRI Center.

Mr. Rankin noted he was a volunteer for the Community Meal Center and volunteers prepared meals at the Presbyterian Church on Front Street in Hamilton. Mr. Rankin advised 100-150 lower income and other people of all ages attended the dinners on Friday nights. Mr. Rankin noted he appreciated Oxford's Deer Management Program which slimmed the deer population and donated venison to the meal center. Mr. Rankin advised the venison was prepared in many creative ways and the people at the meal center very much appreciated the deer meat.

CONSENT AGENDA

MINUTES

Minutes of the October 1, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the October 2, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Bogard moved to approve the consent agenda. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION **CONTRACT WITH** **R.A. MILLER CONSTRUCTION CO.**

A Resolution No. 4789 accepting the bid submitted by R.A. Miller Construction Co. and authorizing the City Manager to enter into a contract with R.A. Miller Construction Co. for the repair of City owned sidewalk sections and the installation of handicap ramps set forth on Exhibit "A" at a cost not to exceed \$133,310.49. (Mike Dreisbach, Service Director)

Mr. Dreisbach addressed his staff report as presented on page 17 of the agenda and asked for Council's approval of the contract utilizing the budgeted CDBG funds and left over money from the Urban Paving Program as well as money from the Storm Water Fund.

Ms. Rousmaniere thanked Mr. Dreisbach for including the handicap ramps in the project and advised they were required by the Federal Government. Ms. Rousmaniere noted it was nice to see the ramps for people with disabilities and people using wheeled vehicles, strollers and bicycles.

Ms. Rousmaniere moved to adopt Resolution No. 4789. Mr. Harman seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3190. Supplemental Budget Ordinance Number 4 To Make Supplemental Appropriations For Fiscal Year 2013. (Joe Newlin, Finance Director)

Mr. Newlin advised the original budgeted figure of \$75,000 was below market value for financial software upgrades. Mr. Newlin noted a Request for Proposal was initiated with 6 vendors responding. Mr. Newlin advised after an extensive review of the products available for Fund Accounting Software, it became apparent that the City's budgeted estimate was too low. Mr. Newlin explained the net effect on fund balances for the proposed Supplemental Budget would be \$85,000. Mr. Newlin noted the vendor that staff would recommend guaranteed their software price 100% and offered a two year payment plan with no interest. Mr. Newlin advised the preferred vendor had experience converting the City's current software to the proposed new software. Mr. Newlin advised he contacted 10 of the preferred vendor's current customers and received very positive references.

Mayor Keebler advised the decision for the purchase of the software was not being made this evening. Mr. Newlin noted a Resolution for the software purchase would be on Council's next agenda.

Mr. Snyder inquired what the life expectancy of the proposed software would be. Mr. Newlin advised the preferred vendor was using the most current Microsoft platform available and an upgrade could be approximately one third of the cost of the software alone. Mr. Snyder inquired if an upgrade might be needed every 4-5 years and Mr. Newlin advised it would depend on Microsoft.

Mayor Keebler again noted the decision for the software purchase would be made when the funds were available.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located at 3992 Millville-Oxford Road for The Purpose Of Acquiring Permanent Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mr. Dreisbach advised there were eight Ordinances on the agenda tonight for first reading which were a continuation of the process to appropriate property for the construction and widening of U.S. 27 South.

Mr. Dreisbach noted at the last meeting Council adopted Resolutions of intent to acquire the properties and there would be two readings of each Ordinance to actually appropriate the properties. Mr. Dreisbach advised there were no changes from what had been discussed previously.

Mayor Keebler noted Mr. Dreisbach's comments were appropriate for the next 7 Ordinances as well. Mayor Keebler inquired if the public would like to comment on Ordinance numbers 2 through 9. There were no public comments. Mayor Keebler inquired if there was any Council discussion on Ordinance number 2 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located at 3996 Millville-Oxford Road for The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 3 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Business Sign With Illuminated Cabinet Located at 3996 Millville-Oxford Road for The Purpose Of Acquiring Permanent Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 4 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located at 100 Red Cloud Court for The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 5 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located On Miami Western Drive for The Purpose Of Acquiring Permanent Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 6 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At 4163 Miami Western Drive for The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 7 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At 4179 Miami Western Drive for The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 8 and there was none.

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located At 4385 Millville-Oxford Road for The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27) (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 9 and there was none.

Mayor Keebler noted this was the conclusion of the First Readings which would be voted on at the next meeting.

ORDINANCES
SECOND READING

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3232 To Appropriate For Public Use, All Right Title And Interest In a Certain Parcel Of Property Located On McKee Avenue For The Purpose Of Acquiring Permanent Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27), In The City Of Oxford. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised there were 4 Ordinances for second reading and this was one of the final steps Council would take to appropriate the properties. Mr. Dreisbach noted 5 affirmative votes of Council was necessary to acquire property. Mr. Dreisbach advised once the Ordinances were adopted, the Law Director would file suites with the Butler County Court of Common Pleas, and deposit the fair market property value funds with the court. Mr. Dreisbach noted at that point, the City could proceed with the construction project.

Mayor Keebler inquired if there were any comments from the public on Ordinance numbers 1 through 4 and there were none. Mayor Keebler inquired if there was any Council discussion on Ordinance number 1 and there was none.

Mr. Snyder moved to adopt Ordinance No. 3232. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3233 To Appropriate For Public Use, All Right Title And Interest In a Certain Parcel Of Property Located At 6 McKee Avenue For The Purpose Of Acquiring Permanent Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27), In The City Of Oxford. (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 2 and there was none.

Mr. Snyder moved to adopt Ordinance No. 3233. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3234 To Appropriate For Public Use, All Right Title And Interest In a Certain Parcel Of Property Located On Thomson Court For The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27), In The City Of Oxford. (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 3 and there was none.

Mr. Snyder moved to adopt Ordinance No. 3234. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3235 To Appropriate For Public Use, All Right Title And Interest In a Certain Parcel Of Property Located On Millville-Oxford Road For The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road (U.S. 27), In The City Of Oxford. (Mike Dreisbach, Service Director)

Mayor Keebler inquired if there was any Council discussion on Ordinance number 4 and there was none.

Mr. Snyder moved to adopt Ordinance No. 3235. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance No. 3236 Approving A Conditional Use Permit To Allow For The Reinstatement Of An Existing Drive-Through Facility At 5046 College Corner Pike, Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was the second reading to allow a new restaurant to use the existing drive-through lane. Mr. Chen noted the Planning Commission reviewed the conditional use permit application and recommended approval with two conditions.

Mayor Keebler inquired if there were any comments from the public and there were none. Mayor Keebler inquired if there were any further comments from Council and there were none.

Mr. Harman moved to adopt Ordinance No. 3236. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mayor Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott thanked Mr. Rankin for his comments regarding the City's Deer Management Program. Mr. Elliott advised the program kicked off in September following the state laws for this area and two deer had been taken so far. Mr. Elliott noted his feeling it was a good program which had a provision for some of the venison to be donated to the Community Meal Center which served many people well.

Mr. Elliott advised the City was required to have a Municipal Records Commission and he served as the Chairman. Mr. Elliott noted the Law Director and Finance Director served on the commission as well as a community member and an ex-officio member. Mr. Elliott advised the City Clerk served as Secretary. Mr. Elliott noted the commission dealt with retention schedules and the proper disposal of records to ensure the City was in compliance with the Ohio Records Law.

Mr. Elliott noted the commission met this evening and he wanted to give credit to the City departments that updated their retention schedules due to some changes in the state law. Mr. Elliott advised it was important to manage public records properly.

Mr. Elliott noted a City Council Budget Work Session would take place Thursday at 6:30 p.m. where Council would review the City Manager's proposed budget for fiscal year 2014.

Mr. Elliott reminded everyone that Council meetings in November would take place on Mondays instead of Tuesdays and the dates were November 4th and November 18th.

Mr. Elliott discussed a meeting he attended on October 2nd along with Chief Detherage and Mr. Chen with regard to fire safety. Mr. Elliott noted Jenny Levering of Miami University's Cliff Alexander Office of Fraternity and Sorority Life arranged the meeting and invited the Fire Chief from Chapel Hill and three individuals who had lost a child due to fire. Mr. Elliott advised at a later date, legislation would be introduced for Council to consider adopting higher standards with regard to smoke detectors and noted the photo-electric smoke detectors were much more effective than the ionized smoke detectors. Mr. Elliott thanked Ms. Levering for arranging the meeting. Mr. Elliott noted under Chief Detherage's leadership the Oxford Fire Department had done a good job with regard to fire safety inspections.

Mr. Dreisbach advised the Streets and Maintenance Department was very busy wrapping up construction projects for the year as well as inspecting snow plows and spreaders. Mr. Dreisbach noted curbside leaf collection would begin throughout the City on Monday, October 21st.

Mr. Kyger noted the new term for the 'Old Wal-Mart' was Bishop Square for the commercial section of the development and the developer was still working on a name for the residential section. Mr. Kyger advised the lease transfer had occurred and a demolition permit was filed for the former Wal-Mart building. Mr. Kyger noted building plans had also been submitted. Mr. Kyger advised as of Monday, the storefronts at Stewart Square would be full with the opening of Dakotas Steak House. Mr. Kyger advised a new 'Gyro' restaurant would be opening at 26 W. High Street. Mr. Kyger noted the project at 15 S. Beech Street was moving forward.

Mr. Bogard noted the Oxford Community Foundation's annual meeting would take place on Sunday and encouraged Council members who had not responded to the invitation to do so at 523-0623.

Ms. Rousmaniere advised the Oxford NAACP held a community meeting with Police Chiefs on Monday October 7. Ms. Rousmaniere noted Lieutenant Horvath attended on behalf of the City of Oxford and Chief McCandless attended on behalf of Miami University. Ms. Rousmaniere advised approximately 50 people attended the meeting at the LCNB including citizens, students and parents who were interested in talking about community policing and neighborhood relations. Ms. Rousmaniere noted Lt. Holzworth and Chief McCandless talked about training practices, expectations of their Police forces and how they dealt with citizens. Ms. Rousmaniere advised it was a very respectful, informative and trusting discussion.

Mr. Blackburn noted in talking with candidates from Hanover Township last night, they received an 80% grant for a handicap swing for their playground. Mr. Blackburn inquired if the City of Oxford could look into obtaining such a grant for a handicap swing at the Community Park.

Mayor Keebler noted Mr. Elliott already reminded everyone that Council Meetings would take place on Mondays in November.

Mayor Keebler encouraged everyone to bring their children Uptown to participate in the annual Lions Club Halloween Parade and to Trick-or-Treat with the merchants on Wednesday, October 30th.

ADJOURN

Mr. Blackburn moved to adjourn at 8:10 p.m. Mr. Harman seconded. The motion passed 7-0-0.