

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, November 1, 2016 at 7:30 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Ms. Candi Turpin, Human Resources Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. John Jones, Police Chief; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Kim Newton, Acting 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 7-0-0.

PUBLIC PARTICIPATION

PROCLAMATION **'OXFORD EMPTY BOWLS DAY'**

Mayor Rousmaniere read the Proclamation and presented it to Ms. Connie Malone.

Ms. Malone thanked the Mayor and Council for the Proclamation and noted it was her honor, privilege and joy to be here to accept the Proclamation on behalf of Alice Laatsch and Ann Wengler who are her two co-organizers of Oxford Empty Bowls. Ms. Malone advised Oxford Empty Bowls will be holding an event on November 12th from 11am to 2pm at the Oxford Community Arts Center.

Mayor Rousmaniere thanked Ms. Malone for her good work.

NOTICE OF **LEGISLATIVE AUTHORITY**

Notice to Legislative Authority – Transfer of C1 and C2 Permit from Shri Mahadevi Inc. DBA Red Ox 95 E. Chestnut Street, Oxford, Ohio 45056 to Red Ox Liquor Group Inc. DBA Red Ox 95 E. Chestnut Street, Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger advised this is not a new permit and noted it was a simple transfer of an existing beer and wine carryout permit to the new owner of Red Ox which sold last September.

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

PUBLIC COMMENTS

Jessica Greene, Oxford Visitors Bureau Director congratulated Oxford on being named one of the “Best Hometowns” in the Ohio magazine and noted she had more magazines available at the Visitors Bureau if needed. Ms. Greene also thanked Council for their continued support of the Oxford Summer Concert Series and advised without Council’s support, the Visitors Bureau wouldn’t be able to put on the event. Ms. Greene noted they were looking forward to the 31st Annual Summer Concert series in the park next year.

CONSENT AGENDA

MINUTES

Minutes of the October 18, 2016 City Council Meeting. (Kim Newton, Acting Clerk of Council)

REPORTS

Report regarding the October 19, 2016 Board of Zoning Appeals Meeting (Jung-Han Chen, Community Development Director)

Report regarding the October 11, 2016 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

RESOLUTIONS

RESOLUTION

WAIVE FEES

A Resolution authorizing the City Manager to waive the fees adopted in the Fee Ordinance for the street closings for the Visitors Bureau for the 2017 annual Summer Concert Series. (Doug Elliott, City Manager)

Mr. Ellerbe moved to approve the consent agenda. Mr. Dana seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION

NEW AGREEMENT WITH OXFORD TOWNSHIP

A Resolution Authorizing The City Manager To Enter Into A New Agreement With Oxford Township, Butler County Ohio, And Authorizing The City Of Oxford To Provide Fire Protection And Emergency Medical Services To Oxford Township Pursuant To The Terms Of The Agreement. (Doug Elliott, City Manager)

Mr. Elliott advised the current Fire/EMS agreement with Oxford Township will be expiring at the end of the year and noted the proposed agreement is for three (3) years and will increase the amount paid by the Township for operations plus an additional amount to compensate the city

for operation, maintenance and replacement of emergency vehicles. Mr. Elliott also advised the new contract amount for operations is \$90,000 per year and the additional amount to compensate for emergency vehicle operation, maintenance and replacement is \$80,000 per year for the first two (2) years of the agreement. Mr. Elliott noted beginning in January 2017, title to the Oxford Township owned 2003 ambulance and 1992 tanker will be transferred the City of Oxford.

Mayor Rousmaniere inquired if the City covered the costs of the Township's vehicle maintenance in previous years. Mr. Elliott advised the Township owned and maintained their vehicles by reimbursing the City for the costs of the maintenance and noted the Township wants out of the equipment business.

Mr. Dana moved to adopt Resolution No. 5024. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit To Allow For An Addition And Site Modifications Of An Existing Fraternity House In A R2ms (Single And Two Family Mile Square Residential) District At 200 And 208 E. High Street, Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised a Conditional Use permit was required to make major renovations and add a two-story addition to the existing Beta Theta Pi Fraternity. Mr. Chen presented a Power Point presentation showing the current site plan, the proposed site plan and a rendition of the final building drawings that were presented in the agenda. Mr. Chen advised there are currently two (2) lots on the site which will require a lot consolidation due to the setback requirements and also advised a granular pervious surface would be installed in the parking areas. Mr. Chen noted five (5) conditions were recommended by the Planning Commission.

1. That the consolidation of lots will occur prior to a building permit being issued;
2. That the review and approval of a right-of-way permit for Campus Avenue loading zone takes place;
3. That an evaluation of mature trees on site for potential preservation takes place;
4. That no roof areas are to be used as outdoor activity areas;
5. That screening will be provided along the eastern side of the parking lot.

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

Mr. Dana inquired about the stacked parking that is referred to in Mr. Perry's staff report on page 42 of the agenda noting it stated "Stacked parking is not permitted but is an existing condition" and how it is reconciled with the circumstances that exist. Mr. Chen advised you can have stacked parking in the back but not in the front and will not be an issue to contend with. Mr.

Chen also noted the members of the Fraternity will need to work out which member will have which space.

Mr. Ellerbe inquired if the buildings will continue to be managed as two (2) buildings and will they continue to have two (2) addresses or will it be one (1) address. Mr. Chen advised it would be one (1) address due to the lot consolidation making it one (1) lot.

Ms. Southard inquired what it is meant by screening of the parking lot noting is that a fence or vegetation and Mr. Chen advised it could be a combination of both.

Mr. Dana inquired if it is possible to increase the percentage of pervious parking. Mr. Tom Converse of RDI Architects advised every proposed parking space will be pervious.

Ms. Southard noted she was happy to see the condition of protecting the existing trees stating it is an important point and expressed her hope it would be adhered to so that the mature trees will be preserved.

Mayor Rousmaniere expressed her displeasure regarding the parking noting she felt there was too much of it. Mayor Rousmaniere stated while the parking might be adequate for the site, the location of the building is on the edge of campus and will be housed by Miami students. Mayor Rousmaniere noted there are three (3) long-term parking areas on campus, with one being a few blocks to the north of the site at Millett Hall and stated she voted against the petition at Planning Commission because she felt there was too much parking on the site.

ORDINANCE **VACATION OF EASEMENT**

An Ordinance Approving The Vacation Of An Easement Located Between Lots 3010 And 3011 On High Street, Beta Theta Pi Property. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this Ordinance is related to the prior Ordinance for the Conditional Use Permit. Mr. Dreisbach referred to his staff report in the agenda and advised in 1993 a utility easement was granted to the City in the area that was vacated. Mr. Dreisbach noted the easement was never improved and the City has no foreseeable plans to improve or construct utilities in this area.

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

Mayor Rousmaniere inquired what the definition of “vacate” meant and Mr. Dreisbach advised it meant to give up permanently and noted if the City did not vacate, the site could not be consolidated.

ORDINANCE **2017 APPROPRIATIONS**

An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2017. (Joe Newlin, Finance Director)

Mr. Newlin noted this was the annual expenditure Ordinance as discussed at the October 6, 2016 City Council Work Session. Mr. Newlin referred to his report and Ordinance in the agenda and discussed significant items within the proposed budget. Mr. Newlin offered to answer any questions.

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

Mayor Rousmaniere advised items regarding the proposed budget were discussed at the Budget Work Session.

ORDINANCE
BUDGETED TRANSFERS

An Ordinance Outlining Budgeted Transfers For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2017. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented in the agenda and offered to answer any questions.

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

ORDINANCE
BUDGETED ADVANCES

An Ordinance Outlining Budgeted Advances For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2017. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented in the agenda and offered to answer any questions.

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

ORDINANCE
2017 FEES & CHARGES

An Ordinance Adopting Fees and Charges For Fiscal Year 2017.(Joe Newlin, Finance Director)

Mr. Newlin referred to his staff report in the agenda and noted additions in the fee ordinance were in bold print, deletions are in strikeout and fees not changed are in normal type. Mr. Newlin advised specific questions should be directed to the appropriate Department Head.

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

Mayor Rousmaniere inquired how the fees are determined by the departments and how they determine when to increase the fees. Mr. Elliott advised it depends on the fee and gave an

example of the user fees for water, sewer and solid waste noting they are enterprise funds and are self-supporting. Mr. Elliott noted if the water, sewer and solid waste fees are increased, they are increased to reflect the City's costs. Mr. Elliott also advised the solid waste fees are being reduced due to the landfill debt payment being paid off. Mr. Elliott noted the fees are there to cover the City's costs.

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance Amending Ordinance No. 3335 And Declaring It An Emergency. Supplemental Budget Ordinance Number 10 To Make Supplemental Appropriations For Fiscal Year 2016.
(Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented in the agenda which dealt with projected increase in hotel tax receipts, health care reimbursements and moving unencumbered funds from the US 27 South project to the Collins Run Road project.

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

Mr. Dana inquired about Issue 2 in the staff report regarding health care expenditures and asked how much over the expenditures are this year compared to last year. Mr. Newlin advised he would provide the information at the next meeting.

Mayor Rousmaniere inquired about Issue 3 in the staff report regarding moving of unencumbered funds from the US 27 South project to the Collins Run Road project and asked if the \$165,000 is from the Capital Improvement budget last year for the US 27 South project. Mr. Newlin advised yes, noting the budget included funds to spend this year on the project. Mr. Newlin also advised at least \$165,000 would not be spent on the US 27 South project and noted the money is moving from one line to another in the Capital Improvement fund. Mr. Elliott advised the \$165,000 was from the local share and Mayor Rousmaniere inquired if most of the project was paid for by Federal dollars and Mr. Elliott advised yes.

ORDINANCE **SALARIES AND BENEFITS**

An Ordinance Establishing Salaries And Certain Benefits For Salaried and Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2017 Through December 31, 2017. (Candi Turpin, Human Resources Director)

Ms. Turpin referred to her staff report in the agenda and advised the proposed Salary Ordinance contained additions and corrections for 2017 and the items to be eliminated or changed were indicated by strike-out. Ms. Turpin noted three (3) full-time Firefighters have been added for next year and advised there will be a total of 108 full-time employees next year. Ms. Turpin also advised some part-time employees were moved to the appropriate sections and noted they were originally full-time positions that have been budgeted and approved as part-time employees. Ms. Turpin noted staff is recommending a two percent (2%) cost of living increase for full-time employees and advised Attachment "A" in the agenda showed the pay bands which reflect the

two percent (2%) increase. Ms. Turpin also noted Attachment "B" in the agenda showed the full-time Fire Captains and newly appointed full-time Firefighters wage rates and policies.

Mayor Rousmaniere referred to Attachment "B" in the agenda and inquired if there are three (3) new Fire Captains. Ms. Turpin advised the Fire Captains are not new and noted there are currently three (3) full-time Fire Captains that we already have. Ms. Turpin advised the three (3) full-time Firefighters will be new next year and noted we currently have part-time and volunteer Firefighters. Mayor Rousmaniere asked Ms. Turpin to review the Fire Division changes in personnel. Ms. Turpin advised for 2017 the full-time employees will include the Fire Chief, three (3) Fire Captains, three (3) full-time Fire Fighters and one (1) Administrative Assistant II. Ms. Turpin noted the part-timers have not changed other than the maximum pay rate and advised the Ordinance reflected there is only one (1) Lieutenant as a part-timer.

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

Mr. Ellerbe inquired if Ms. Turpin foresees any run-ins with the Fair Labor Standard Act (FLSA) on some of the lower banded employees. Ms. Turpin advised all full-time exempt employees are well above the base salary that is required for the FLSA. Mayor Rousmaniere asked Ms. Turpin to elaborate on what is meant by FLSA. Ms. Turpin noted new legislation was passed this year that lowered the pay threshold of certain salary-capped employees that are exempt or not eligible for overtime pay. Ms. Turpin advised the only exempt employees in the City are the department heads and noted the department heads salaries are well above the bottom threshold where the city would be required to pay overtime pay. Mr. Ellerbe noted the threshold is \$47,700.

ORDINANCES

SECOND READING

ORDINANCE

ANNEXATION

An Ordinance No. 3378 Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 0.458 Acres Of Land In The Township Of Oxford, Butler County, Ohio, And Accepting Said Territory To Be Annexed. (Doug Elliott, City Manager)

Mr. Elliott referred to his staff report in the agenda and noted he had nothing new to add since the first reading of the 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. 3378. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

1. Remarks from City Council and City Staff.

Mr. Elliott advised the 2017 Fee Ordinance included new taxicab fees for taxicab licenses, including one for the company, one for the operator and one for the vehicle.

Mr. Elliott advised the City received an award of \$140,000 from the McCullough-Hyde/TriHealth Hospital for the completion of a sidewalk on Morning Sun Road from Sycamore Street to Kelly Drive that will connect that part of the city to the OATS Trail. Mr. Elliott noted the award is part of the Hospital's community initiatives with the goal of decreasing obesity and creating walkable and bikeable communities. Mr. Elliott thanked the Hospital for their generous donation.

Mr. Wooddell noted the Halloween event in the Uptown parks last week was outstanding and thanked the partners and donors for the event, which includes the Lions Club.

Mr. Wooddell advised the Veterans Day Ceremony is coming up on November 11th at Noon and noted the City is partnering with Miami University and the Talawanda School District this year to make it a full day celebration for the veterans. Mr. Wooddell advised Council of the schedule of events that will take place during the day for Veterans Appreciation Day.

Mayor Rousmaniere inquired if Miami is dedicating a veteran's monument and Mr. Wooddell expressed his belief that Miami will be doing a site dedication for a future memorial.

Mr. McKeehan thanked the Police Chief and the Oxford Police Department for their service and management of the recent political rally and noted there were a number of residents who commented on how well the event was managed for such a large crowd.

Mr. Ellerbe noted next Tuesday is a big day and expressed his hope that people will take some time to look at and read about the local issues that often get passed by during presidential elections.

Mr. Dana advised the League of Woman Voters of Oxford's "Voters Information Guide" is available with very detailed answers to very specific questions to help voters determine how they will vote.

Mr. Dana noted when reading the Chief of Police's weekly report, there was an exchange between one citizen who was upset about the destruction of a political sign and expressed his feeling the Chief's response was excellent and thorough. Mr. Dana noted he wanted to bring to the public's attention that the sharp decrease in the Local Government Fund simply makes it difficult for the City to have adequate resources and if we value our local government funds, then we can take action by talking to our local representatives. Mr. Dana advised the local representatives that exist are, Senator Coley and those running for office and noted we should

simply say to them, “we manage our budget responsibly and we don’t want to be held hostage because others manage it improperly.”

Mr. Smith echoed his fellow Council members to get out next Tuesday and vote.

Ms. Southard advised the Oxford Empty Bowls event will be held on Saturday November 12th from 11am to 2pm at the Oxford Community Arts Center and noted all proceeds benefit the Oxford Community Choice Pantry.

Mr. Blackburn advised he and Mr. Dana went to a conference on heroin and noted the Cincinnati Chamber of Commerce put out a notice that heroin is effecting jobs which is effecting economic development. Mr. Blackburn noted surrounding communities are spending millions of dollars to fight the heroin problem.

Mayor Rousmaniere advised Miami University students received an email today regarding where the polling stations were located for students who live on or off campus.

Mayor Rousmaniere advised she and Ms. Southard attended the Community Foundation celebration last weekend noting it was a great event celebrating the Community Foundation’s anniversary and all the wonderful things it does. Mayor Rousmaniere also advised Mr. Wooddell was at the event to speak about the new aquatic park and noted we are now formally talking about the new aquatic park that will be coming soon.

ADJOURN

Mr. Dana moved to adjourn at 8:38 p.m. Mr. Smith seconded. The motion passed 7-0-0.