A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, December 4, 2012 at 7:03 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan and Kate Rousmaniere. Steve Snyder arrived at 7:26 p.m.

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)(1) for the purpose of discussing appointments to Boards and Commissions. Mr. McKeehan seconded. The motion passed by the following roll call:

AYE: Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Keebler (6)

NAY: None (0)

ABS: None (0)

ADJOURN FROM EXECUTIVE SESSION

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

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PRESENTATION
MIAMI UNIVERSITY

Mayor Keebler advised representatives from Miami University; Ted Pickerill, Michael Kabbaz and Dave Sauter would make a presentation regarding the new academic calendar.

Mr. Ted Pickerill, Executive Assistant to President, Secretary to Board of Trustees, thanked Council for the opportunity to speak to them regarding changes forthcoming in Miami University's academic calendar.

Mr. Pickerill advised Mr. Michael Kabbaz, Associate Vice President, Office of Enrollment Management, chaired a committee that looked at the university calendar and the benefits of creating a term between the fall and spring terms and he would discuss those benefits and the reasoning behind the changes. Mr. Pickerill noted Mr. David Sauter, University Registrar, would discuss the mechanics of the calendar and the implementation process.

Mr. Michael Kabbaz, advised a couple of years ago, the university started considering different ways to enhance the academic calendar, and at the same time, the State of Ohio asked public institutions to ensure they were providing opportunities for students to graduate in a very reasonable amount of time. Mr. Kabbaz noted many recommendations were considered and the university approved a change in the academic calendar beginning in the fall of 2013. Mr. Kabbaz advised the university had a 16 week academic calendar in the fall and spring with a 12 week summer term and would move to a 15 week academic calendar for the semesters, maintain the 12 week summer term, and add a three week optional winter term in January. Mr. Kabbaz noted the first day of classes would begin the last week in August and end in mid December, a three week winter term would be added at the beginning of January, spring term would begin at the end of January and end in mid May. Mr. Kabbaz advised the university believed this would create more opportunities for students to study abroad, take classes at the Oxford or regional campuses, or take classes online. Mr. Kabbaz noted Miami University would be the first public institution in Ohio to implement this type of academic calendar and they saw it as a great opportunity for students. Mr. Kabbaz advised survey data from nearly 3,000 students would assist with determining the overall academic demand for courses and the potential campus services needed to support the new winter term.

Mr. David Sauter, noted the university would have 4 very distinct terms of opportunity for students throughout the academic year. Mr. Sauter referred to a handout provided to Council and walked them through the 2013-2014 academic calendar. Mr. Sauter briefly outlined the multi-year academic calendar which covered 2013 through 2018. Mr. Sauter noted various federal and Board of Regents guidelines for lengths of instructional minutes and weeks had been met and he felt the university had a very solid 4 term plan in place with lots of opportunities for students.

Ms. Rousmaniere advised she was excited about the winter term and felt it was a great advancement for the university. Ms. Rousmaniere noted the impact of the changes could be significant for the City. Ms. Rousmaniere advised students would likely be in town for New Year's Eve and the City would have to prepare for that with extra police presence and trash pick-up. Ms. Rousmaniere noted there would not be a buffer between the spring and summer terms when the City often scheduled special "clean-up" projects. Ms. Rousmaniere advised there may not be many students in town for Martin Luther King Day and the university had always played a leading role in that event. Ms. Rousmaniere noted she felt the City and the university needed to think about the impact of the new academic calendar collectively and lay out strategies for addressing potential issues. Ms. Rousmaniere inquired if there would be a point person at the university for the City to work with.

Mr. Pickerill advised the university would work with the City and would identify an appropriate point person. Mr. Pickerill noted the university would share with the City what the enrollment would be on various holidays, etc.

Mr. Kabbaz advised the survey he mentioned earlier would give the university a sense of the interest in the winter term. Mr. Kabbaz noted from studying trends at other universities he felt the winter term would be successful although it may start small and grow over time. Mr. Kabbaz advised the university would also have to anticipate resources needed on campus.

Mr. Bogard noted having worked with academic calendars at Miami for over 3 decades he was glad to see a break between summer and fall terms to prepare for the beginning of the school year. Mr. Bogard inquired if the summer term would be divided into 5 or 6 week terms. Mr. Sauter advised summer term would be twelve weeks, two sixes or four fours. Mr. Sauter noted with the rise in the international population more start-up and advising time was necessary. Mr. Bogard advised he was glad to see Miami University out front in the educational adventure while other universities were catching up with Miami on calendars.

COUNCIL ONE YEAR APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Bogard moved to make the following appointments for a term ending December 1, 2013: Mayor Keebler and Ms. Rousmaniere to the Planning Commission, Mr. Bogard to the Recreation Board, Mr. Harman to the Historic and Architectural Preservation Commission, Mr. Snyder and Mr. McKeehan to the Community Improvement Corporation, Mr. Blackburn to the Student Community Relations Commission, Mr. Snyder to the Police Advisory Board, Ms. Rousmaniere to the Environmental Commission, Ms. Rousmaniere and Mr. McKeehan to the Housing Advisory Commission, Mr. Harman and Mr. Bogard to the Firefighters Dependents Board, Mr. Blackburn and Mr. Keebler to the Woodside Cemetery Board, Mr. Bogard to OKI, Mr. Blackburn to the Senior Citizens Board of Trustees, Mr. Bogard to the Butler County Land Use Coordinating Committee, Mr. Blackburn to the Visitors Bureau Board and Mr. Harman to the Oxford Parking and Transportation Advisory Board. Mr. Harman seconded. The motion passed 7-0-0.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

Mayor Keebler requested removal of items D. and E. Mr. Bogard requested removal of item B. to provide the applicant an opportunity to address Council.

MINUTES

Minutes of the November 20, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

RESOLUTION
WINTER FARMERS MARKET

A Resolution No. 4714 authorizing the City Manager to close Lot 52 on Saturday, January 19, 2013, Saturday, February 16, 2013, Saturday, March 16, 2013, Saturday, April 20, 2013 and Saturday, December 21, 2013 from 5:00 a.m. to 12:30 p.m., to permit the operation of the Winter Farmer's Market within Lot 52 during said time. (Mary Ann Eaton, Clerk of Council)

Mr. Bogard moved to approve items A. and C. on the consent agenda. Mr. McKeehan seconded. The motion passed 7-0-0.

RESOLUTION
FARMERS MARKET

A Resolution No. 4713 authorizing the City Manager to close Lot 52 on Saturdays, from 5:00 a.m. to 12:30 p.m., from May 4, 2013 through November 23, 2013 to permit the operation of the Farmer's Market within Lot 52 during said time. (Mary Ann Eaton, Clerk of Council)

Mr. Larry Slocum, advised he resigned his post as Oxford Farmers Market Manager but he did retain the role as President of Council. Mr. Slocum brought his guitar and provided a report in the form of a song letting Council and the public know that the Talawanda Farmers Market merged with the Uptown Farmers Market. Mr. Slocum also let Council know that a local farmer obtained a grant to build a greenhouse and would supply produce for the Farmers Market all year long. Mr. Slocum presented each Council member with a bag of spring mix. Mr. Slocum introduced Mr. Brian Wolford who advised Council that he received a $7,000 grant for the greenhouse from the National Soil Conservation Service.

Mr. Snyder inquired if there was a new name for the merged market and Mr. Slocum advised it would still be the Uptown Farmers Market.

Mr. Harman noted there were two new co-managers for the Uptown Farmers Market and Mr. Slocum advised Harv Railing and James Elliott were the new co-managers.

Mr. Bogard noted he was excited to see the merger of the two markets and wished them success.

Mr. Slocum presented Mr. Elliott with a check from the Farmers Market to partially reimburse the City for parking meter revenue in lot 52 during the 2012 season.

Mr. Bogard moved to adopt Resolution No. 4713. Mr. Harman seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT

A Resolution No. 4715 accepting the bid submitted by Layne Heavy Civil, Inc. and authorizing the City Manager to enter into a contract with Layne Heavy Civil, Inc. for the removal and replacement of filter media and filter air scouring equipment at the City's Water Treatment Plant at a cost of $123,321.00 plus a contingency amount of ten percent (10%) of the contract price or $12,332.00 for a total cost not to exceed $ 135,653.00. (Mike Dreisbach, Service Director)

Mayor Keebler noted he asked for two Resolutions to be removed from the consent agenda because the City had been following a precedent of not having items on the consent agenda with costs over $100,000 and the numbers weren't available until last Friday afternoon.

Mr. Dreisbach advised the Water Plant was 20 years old and was starting to require more maintenance. Mr. Dreisbach addressed his staff report as presented on page 20 of the agenda noting 6 bids were obtained for the project with Layne Heavy Civil being the lowest bidder. Mr. Dreisbach noted the City had experience with Layne Heavy Civil and he recommended that Council approve the Resolution.

Mayor Keebler noted the City budgeted $150,000 for this project and the contract would be for $135,653.

Mr. McKeehan moved to adopt Resolution No. 4715. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT

A Resolution No. 4716 accepting the bid submitted by Danis Industrial Construction Co. and authorizing the City Manager to enter into a contract with Danis Industrial Construction Co. for the removal and rehabilitation of bar screens at the City's Wastewater Treatment Plant at a cost of $174,894.00 plus a contingency amount of ten percent (10%) of the contract price or $17,489.00 for a total cost not to exceed $192,383.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this was another standard maintenance item and the bar screens had reached the end of their useful life. Mr. Dreisbach addressed his staff report as presented on page 22 of the agenda and noted 3 bids were received for this project with Danis Industrial Construction being the lowest bidder. Mr. Dreisbach advised Danis had done work for Miami and had good references from Miami and he recommended that Council approve the Resolution.

Mayor Keebler noted $200,000 was budgeted for the project and Council was being asked to approve a contract for $192,383.

Mr. Blackburn moved to adopt Resolution No. 4716. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION
DONATION OF PROPERTY

A Resolution No. 4717 of Council authorizing the City Manager to accept the Great Escape Theatres donation of the Princess Theatre and equipment to the City of Oxford. (Doug Elliott, City Manager)

Mayor Keebler advised there had been some changes regarding this matter since the agenda was published on Friday and Mr. Elliott would provide a report.

Mr. Elliott noted the Resolution before Council was to accept the donation of the Princess Theatre which was placed on the agenda last Friday morning and made public. Mr. Elliott advised Friday afternoon he was notified that the owner now wanted $200,000 for furniture, fixtures and equipment and therefore the Resolution on the agenda to accept the original offer of a donation had lost its meaning. Mr. Elliott noted he was still negotiating with the owner on the present offer. Mr. Elliott advised he and Mr. Kyger had been very focused on saving the Princess Theatre over the last 10 days as have many others in the community. Mr. Elliott noted as City Manager, he recognized the importance of the Princess Theatre as it was a historic theater and had been a part of the Uptown since 1911. Mr. Elliott advised Oxford was fortunate to have a successful, strong and vibrant Uptown and an Uptown movie theater added to that success and vibrancy. Mr. Elliott noted a movie theater provided entertainment, generated Uptown foot traffic, added a different dimension to the night life, created a sense of community and its loss would be very unfortunate. Mr. Elliott asked Council to adopt the Resolution to show the City's support for the original proposal for saving the Princess Theatre and noted his hope the owner would reconsider the most recent offer regarding $200,000 for furniture, fixtures and equipment. Mr. Elliott advised if the owner did not reconsider it would present a serious challenge to overcome as the building required immediate heating repairs and the projectors needed to be replaced with digital projectors. Mr. Elliott noted if the theater were donated he would work to lease the facility and resume its operation as a local movie theater.

Mr. Blackburn noted he was personally involved with the facility as his father-in-law ran the former Talawanda Theatre and his son assisted with remodeling the facility. Mr. Blackburn advised if the City was able to obtain the theater it could be rented at a reasonable price. Mr. Blackburn noted the City could not run a theater but the City could do everything possible to make this a workable situation for someone coming in. Mr. Blackburn advised the City could offer a lease with an escape clause in the event a large theater came into town.

Mr. Harman advised if the theater was donated to the City he would like to keep it as a theater noting it would keep some jobs in Oxford. Mr. Harman advised having a theater in Oxford was a plus; otherwise people had to drive 16 miles to the nearest theater. Mr. Harman noted Council had to look at whether the owner would donate the facility or if the owner was 'stuck' on the $200,000 cost for furniture, fixtures and equipment.

Ms. Rousmaniere echoed the City Manager's acknowledgment of the importance of having a movie theater uptown in terms of culture and economics.

Ms. Rousmaniere noted staff and Council had been supportive of keeping a movie theater in any way possible that made sense for the City. Ms. Rousmaniere advised she would vote in favor of the proposed Resolution.

Mr. McKeehan noted he too hoped to retain a theater in Oxford. Mr. McKeehan advised he was a little more pragmatic about the situation and noted Regal Cinemas agreed to buy all but one cinema from Alliance Entertainment because it was not very profitable in Oxford and Council needed to be very cognizant of that.

Mr. Snyder noted if the donation occurred the City would become the landlord. Mr. Snyder inquired if the City would have to put capital expenditures into the building to rehabilitate it in order to lease it.

Mr. Elliott advised someone would have to put some capital expenditures into it and noted the heating repairs were estimated to be $25,000. Mr. Elliott advised at some point in time the projectors would have to be replaced. Mr. Elliott noted his goal was to obtain the building and work with a party or company to create a favorable lease that would permit the leaser to make the improvements. Mr. Elliott advised there had been a lot of development in the Uptown district and he did not want to see the theater torn down. Mr. Elliott noted there would be some obstacles if someone were considering to do that as the theater was in the Historic District and the building existed as a non-conforming structure.

Mr. Bogard inquired if an environmental assessment of the building would be done. Mr. Elliott advised he and staff inspected the building and decided it would not be necessary to do a Phase II Environmental Assessment. Mr. Bogard noted the City Manager had done a lot of research on the project and he supported the proposed Resolution.

Mayor Keebler opened the discussion for public comments beginning with a group of Talawanda students.

Ms. Devra Levy, 214 W. Withrow Street, advised she and fellow students wrote a petition asking City Council to make sure that a movie theater remained Uptown because they believed a movie theater was an important part of a diverse community. Ms. Levy noted she and her fellow students liked Oxford and "hanging out" in Oxford and going to the movies at the Princess Theatre had always been a central part of that. Ms. Levy advised the petition was circulated at the Talawanda High School and Middle school and most of the people they talked to were extremely upset that the movie theater closed and they were eager to support the petition. Ms. Levy noted in less than a week, 333 signatures were collected and the students hoped this showed Council how much they cared about this issue. Ms. Levy advised Maddy Abowitz, Noah Levy and Eva Fischer-Rech would read the petition.

Ms. Maddy Abowitz, 5 Bull Run Drive, read as follows: "We, the undersigned, agree that a movie theater should be retained in the Princess Theatre's current location for various important reasons, including the following".

Ms. Eva Fischer-Rech, 320 W. Vine Street, read as follows: "Having a movie theater in uptown Oxford is beneficial to the middle and high school students of our community because it provides us with a safe and accessible location where we can spend time with our peers, develop a further sense of community and enjoy the advantages of living in a diverse and thriving Oxford."

Mr. Noah Levy, 214 W. Withrow Street, read as follows: "Local uptown businesses benefit from being near a movie theater because they regularly receive business from the moviegoers, who often stop to get dinner or a cup of coffee before or after their film. A movie theater in a central location, such as uptown Oxford, attracts the families of the community and allows the citizens of Oxford to go to the movies without having to make the unnecessary and sometimes hazardous nighttime drive to Hamilton or Cincinnati."

Ms. Maddy Abowitz, 5 Bull Run Drive, read as follows: "Therefore, we, the undersigned, ask the City Council of Oxford to retain a movie theater at the Princess Theatre's current Location."

Mayor Keebler and members of Council thanked the students for their presentation.

Ms. Kathleen Veslany, 6195 Contreras Road, commented as follows: "The Princess has been a necessary escape for me as a mother of small children, an affordable night out with my husband and a destination for my kids during heat waves, spring break and winter weekends. At the Princess I've watched the midnight premier of the Ides of March in which Oxford had a cameo role and every single seat was full. Both of my daughters have seen their first movie at the Princess and every Halloween parade we have attended started there. Every year our carriage ride during Oxford's Holiday Festival passes by the Princess's bright marquee until this year when it went dark. Keeping a theater in the heart of our town is about more than the business of selling movie tickets. Just like the Thursday evening summer concerts and summers at the Tri pool this is a place that has something to offer for every age group in town. It's an affordable destination for our kids, a place to bump into friends and neighbors in the lobby and a truly great escape for people who need a break. It is part of Oxford's many traditions. Nearly 1,200 people on facebook have joined the "Save the Princess" page and dozens have offered pledges to roll up their sleeves and do what needs to be done to keep this going. I ask City Council to protect this resource and do whatever it can to avoid losing something that serves this community so broadly. I'm delighted to hear of so much support."

Mr. David Prytherch, 6195 Contreras Road, commented as follows: "When I went to the movies on Sunday I rode my bicycle uptown with my daughter and had one of those quintessential small town experiences that you take for granted at the time and you didn't know how precious it was. When the marquee went dark many of us had a collective 'oh no'. Congratulations to a Council who has a staff that's just incredible. Economic Development Director, Alan Kyger and City Manager, Doug Elliott has been on this. I'm sure they didn't imagine themselves in the role of trying to figure out how to save a movie theater. I'm sure you didn't expect this to drop into your lap and when I went to the movies on Sunday I didn't think it would be something I'd have to worry about either. My wife and I started the facebook page as citizens of Oxford to share ideas and memories and engage support for the Princess. Facebook is a strange kind of animal but when 1,200 people sign onto your site in 6 days you know you've tapped into something.

It's a little bit about nostalgia but it's also about that people really depend on this. I don't know what the solution is. I was elated by the offer to the City. I'm strongly disappointed and discouraged that people make promises then go back on their promises. With the wise and strategic thinking of your City staff I think there is a plan A, B, and C. There are ways the City of Oxford can transition this theater into something else that in the end doesn't cost the City anything, absolves you of longtime responsibility, and hands it off to some other entity to run it. You could find a third party vendor or a non-profit group could take control of the theater and solicit grant dollars for capital improvements and lease it to a private person. There are many different models because we're not the only small community dealing with this right now. If the City of Oxford does not acquire this site before January 1st it's hard to imagine how you saved the Princess. It's not just about movies, you have to imagine whoever is looking to buy this building is not looking to get into the movie business. To contemplate the idea of an application for demolition of the Princess Theatre is something I personally don't want to contemplate in Oxford. I don't look forward to that conversation. I would look forward to a conversation on how to save and preserve the building and turn it into a resource for the entire community. First run movies, something creative, we have to save the building first. You have excellent City staff and I thank their willingness to tackle something you didn't think you'd have to worry about."

Mr. Joshua Mull, 3203 Frazee Road, Somerville, commented as follows: "I've been working for the Great Escape Princess 4 Theatre for 8 years and was a manager there for 6 of those years. In the last 2 years I have been the General Manager. I was the one who had to deal with the heartbreak of telling the employees they would no longer be there and no longer be employed. I was the person who had to go up to the marquee and take the letters down and let the town know without ever being able to voice it and express my concern of how much this hurts the community, myself and every individual in this room. There will be 140-200 hours of payroll a week we are not going to be able to provide to citizens of this town. Mr. McKeehan stated that when Regal bought this out they looked at buying every theater in Great Escape except ours. They never gave us a chance. Never came to our site. They looked at the numbers and looked at that we were a 4 screen and Regal did not own anything smaller than an 8 screen. A lot of that decision may not have been about profitability but about of the fact they did not want a small theater. They are big fish; they know how to run big theaters. Small theaters need a personal touch; they need a way to interact with the community. They need a way to be able to adapt and change. I think that's something we'll be able to do if we as a city get involved and we go to a smaller scale. We'll be able to diversify and adapt to our current environment. I would personally love to see this theater continue. It's a great place for families, a great place for college students to get away from drinking and the party life they have, and an alternative to a lot of things. It lets people get together. I was very touched by all of the students coming out here tonight. Doug Elliott has all of my contact information. I can tell you anything you want to know about the theater business and everything that has happened the last few years leading up to this."

Ms. Megan Peters, 15 E. Spring Street, commented as follows: "I was very saddened today to hear about the $200,000 hangman's noose being held over the donation of the Princess. I did some research online about some other small towns that have dealt with similar instances where their local theaters are being closed. One of the things that jumped out at me right away was that the Lyric in Colorado was able to finance the transition to digital projectors for $250,000. They were able to finance that through a 'Kick Starter' fund which is an online donation site where people can start special web pages devoted to certain causes.

I've worked with a film festival and have worked very closely with the owners of the Lincoln Theater in Decatur IL. and I know the film community is very disheartened by the closing of small theaters and have been really stepping up to donate money even to places they don't live. Saving the theater is something everyone could get involved with. The Lincoln Theater was helped by a National City Bank grant and a grant by the State of Illinois. I haven't been able to find anything similar in the State of Ohio except for the Ohio Arts Council has a sustainability grant that might allow some money that would help out with keeping the theater alive if it does come to us needing to spend $200,000 to keep it. I echo everyone's concerns and my love for the Princess. I've lived here 4 years and I think I've been there almost every weekend. I'm very sad to see it gone and Hamilton is too far."

Ms. Marge Glaser, 10124 Stephen Young Road, commented as follows: "I think this could be an opportunity to rally the town together. All different levels of town have tapped into the theater. This might be a wonderful community effort to put together something creative. It seems there have been a lot of sub-standard movies. If we were a little more diverse we could tap into different levels of entertainment. The Esquire seems to have a mixture of art and first run movies. If we could make it more of a mix and do special things it could be made a go-to destination and people would come from other places to Oxford. It could be a very exciting project."

Ms. Alysia Fischer, 320 W. Vine Street, commented as follows: "We've heard a lot of these big visions about what our town could be like with this as part of it. I want to remind you what you're voting on right now is whether or not you're going to accept a free movie theater. In the end that is what you are voting on right now. Everything you've heard, there is so much support for this so hopefully you all know that and you'll remember what you're voting on right now is not whether or not you're going to spend $200,000, that will be another vote. Today it's would you accept this for free."

Ms. Amber Franklin, 325 W. High Street, commented as follows: "I'm a faculty here at Miami and if it's possible to save the theater and keep it as a theater one of the things I would like you to consider and I don't know how the theater industry works but if we could have a combination of first run and art house movies. In conversations I've had with many of my peers there is a little bit of frustration that some of the entertainment options here in Oxford don't cater to the needs of the faculty and some of the older people in Oxford who also don't want to have to drive to Cincinnati to go to the Esquire to see an art house theater but would like to see something that also meets our needs."

Mr. Dana Miller, 325 W. High Street, commented as follows: "I just moved to Oxford a few months ago. I lived in Seattle Washington for 25 years and it's a very dense film culture there. I've only been to the Princess a few times and I enjoyed going there. I was very disappointed when the theater closed down. I would throw out as an idea, I know from my experience living there, there are a couple of chains of first run and art house theaters, one called Landmark and one called Sundance. I don't know if you've spoken with them that might be an idea. I applaud your efforts to keep the theater going."

Mr. Ari Frum, Secretary, Off Campus Affairs, Associated Student Government, commented as follows: "I want to speak on behalf of the students. The Princess Theater here in Oxford is so close to home that students don't need transportation they might not have access to as first year students or any other students that don't bring transportation to campus. It's a close alternative to many of the stereotypes that are often given to college students to what they partake in their spare time."

Mayor Keebler reminded Council that the vote tonight was simply to accept the theater if it was given to the City. Mayor Keebler noted he felt it was important to hear from the public and their ideas this evening. Mayor Keebler advised the public heard from Council and staff who were interested in doing whatever they could to facilitate the continuation of the theater. Mayor Keebler noted running a private business was not something the City of Oxford should be involved in and not something taxpayer dollars should be spent on. Mayor Keebler advised everyone needed to be cognizant of the fact that raising private donations for a project of this size in this community without having large corporations who tended to back such projects in their communities such as in Cincinnati would be tough. Mayor Keebler referred to the Oxford Community Arts Center and the Oxford Community Foundation and other groups and inquired how many of these operations could be expected to run in Oxford on donations. Mayor Keebler noted Council felt it was a "no-brainer" that if someone offered to donate the City a valuable piece of property the City should take it. Mayor noted Council would accept the property and work towards keeping it a theater if they could without a significant investment. Mayor Keebler advised if the theater was a real money maker it wouldn't be closed. Mayor Keebler noted the advent of DVDs and 55" home screens had hurt the theater industry and the large theaters were seeking liquor permits to attract more customers. Mayor Keebler advised a 500 seat movie theater was being built at the new student center on Miami's campus.

Ms. Rousmaniere inquired what the timeline was for the project. Mr. Elliott advised the owner was looking to close a deal on the original offer by the end of the year.

Mr. Snyder thanked Ms. Fischer for reminding Council that this was a multi-step process. Mr. Snyder suggested that Council take a vote.

Mr. McKeehan noted he would support the Resolution and advised even if Council accepted the theater for free there would be costs attached including liability insurance, utilities, and taxes until the property was leased.

Mr. Elliott noted the vote would be symbolic tonight because the offer had changed. Mr. Elliott noted the item was left on the agenda so the public would be aware of what was happening with the theater. Mr. Elliott advised if the theater was donated the City would incur some costs. Mr. Elliott noted his goal would be to lease the building quickly under a favorable arrangement but the City was not at that stage yet. Mr. Elliott advised the proposed Resolution reflected the original offer and he was appealing to the owner's generosity.

Mayor Keebler thanked members of the public for attending the meeting this evening

Mr. Blackburn moved to adopt Resolution No. 4717. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
EMS MEDICAL DIRECTION

A Resolution No. 4718 approving and authorizing an agreement, a copy of which is attached hereto as Exhibit "A", between the City of Oxford and the University of Cincinnati Physicians Company, LLC for EMS Medical Direction and continuing education and authorizing the City Manager to execute the same. (John Detherage, Fire Chief)

Chief Detherage advised the State of Ohio required entities that provided medical treatment to have a Medical Director. Chief Detherage noted the current Medical Director had served the City for 5 years and in those 5 years his focus had moved away from emergency medicine to working for the Miami University Student Health Services. Chief Detherage advised after much research the Fire Department recommended a change to the University of Cincinnati Physicians Company, LLC (UCPC) for EMS medical direction and continuing education. Chief Detherage noted UCPC provided medical direction and continuing education for over 30 fire departments in Southwest Ohio and Oxford would become part of a regional medical direction/training system.

Ms. Rousmaniere inquired how UCPC would be paid for their services. Chief Detherage advised UCPC would be paid by contract which was $13,500 per year paid out of the Fire and EMS Fund.

Mayor Keebler advised he supported the proposed Resolution and felt it made sense. Mayor Keebler noted at the same time he had concerns that this arrangement would lessen the use of the emergency room at McCullough Hyde Hospital and the physicians attending there who in the past had provided medical direction for the City. Mayor Keebler requested that an open dialog be kept with the physicians and staff at McCullough Hyde and stressed the importance of having a hospital in the Oxford community. Chief Detherage advised he had discussed this issue with UCPC.

<u>Mr. Snyder moved to adopt Resolution No. 4718. Mr. McKeehan seconded. The motion passed 7-0-0.</u>

RESOLUTION
CONTRACT WITH BUTLER COUNTY

A Resolution No. 4719 authorizing the City Manager to enter into a contract with the Sheriff of Butler County, Ohio, to provide for mutual assistance and interchange, and use of police personnel and equipment to provide enhanced law enforcement Special Weapons and Tactics (S.W.A.T.) capabilities. (Bob Holzworth, Police Chief)

Chief Holzworth provided a historical perspective regarding the request for Oxford to join Butler County's Regional S.W.A.T. team including the history of callouts for Oxford's Special Response Team over the past few years. Chief Holzworth detailed the makeup of the group and their training requirements. Chief Holzworth advised the regional group currently consisted of the Butler County Sheriff's Office, Fairfield Township, Oxford Township, Monroe and Trenton and if Council approved the proposed Resolution, Oxford would be the 6th municipality to join the regional team. Chief Holzworth offered to answer any questions.

Ms. Rousmaniere inquired why the proposed partnership did not happen before now. Ms. Rousmaniere inquired if it was not needed, if the situation had gotten worse, or if there was more of a need for regionalization and more emphasis on S.W.A.T. teams. Chief Holzworth advised there was more of a need for regionalization because of economic impacts everywhere. Chief Holzworth noted Butler County could no longer sustain their own S.W.A.T. team and they had to develop a solution. Chief Holzworth advised the City couldn't begin to provide a sustained response with the current staffing and looked for ways to work with other entities. Chief Holzworth reminded Council that the OPD was working with MUPD in a new way and the City already worked with Butler County with regard to communications. Chief Holzworth noted this was a logical step to help prepare everyone for incidents that might occur in Butler County.

Mr. Harman advised he would normally question the cost of such an initiative but not in this case. Mr. Harman noted everyone was doing more with less and needed to plan and have additional training. Mr. Harman advised Oxford needed the ability to count on surrounding communities in times of need and surrounding communities needed the ability to count on Oxford in their times of need. Mr. Harman noted everyone needed to put forward that shared responsibility. Mr. Harman advised there were additional costs but he felt the benefits far outweighed those costs in terms of safety for the citizens of Butler County.

Mr. Bogard inquired if Oxford had to provide a S.W.A.T. vehicle. Chief Holzworth advised Oxford would contribute two Humvees, keeping one in Oxford and positioning one at a county facility. Chief Holzworth noted Oxford would have full access to all equipment and the equipment list was substantial.

Mayor Keebler advised he felt the regionalization effort was long overdue.

<u>Mr. Snyder moved to adopt Resolution No. 4719. Mr. Blackburn seconded. The motion passed 7-0-0.</u>

<u>RESOLUTION</u>
<u>CONTRACT WITH NIC</u>

A Resolution No. 4720 authorizing the City Manager to enter into an amended contract with National Inspection Corporation for their services as Chief Building Official/Plans Examiner, Inspection and Property Maintenance Compliance Inspection Services for the City of Oxford. (Jung-Han Chen, Community Development Director)

Mr. Chen noted the proposed Resolution had to do with professional services for the City of Oxford which had been provided by NIC since 1998. Mr. Chen advised a Request for Proposals was published in September and due to competition the proposal from NIC was very attractive. Mr. Chen noted the contract would remain the same except NIC would no longer charge the City a weekly property maintenance fee which would save the City $46,000 per year. Mr. Chen advised he informed the principal of the company that the City expected the same quality of service with regard to property maintenance enforcement that the City had been receiving.

Mayor Keebler inquired if the contract specified how many man hours NIC would spend in Oxford weekly. Mr. Chen advised NIC would spend approximately 35 hours a week in Oxford.

Mr. Blackburn noted he felt NIC was good at what they did and worked well with tenants and landlords. Mr. Blackburn advised he felt NIC was a good fit for Oxford.

Mr. Harman applauded Mr. Chen for his cost saving efforts with regard to the contract.

Mayor Keebler noted he did not want to see a deterioration of code enforcement and it was something staff would need to pay attention to.

Mr. Snyder moved to adopt Resolution No. 4720. Mr. Bogard seconded. The motion passed 7-0-0.

RESOLUTION
RECEIPT OF PLANNING COMMISSION DOCUMENTS

A Resolution No. 4721 of Council acknowledging receipt of the Planning Commission's recommendation related to the Corridor Safety Improvements' Concept Plan for Bicyclists and Pedestrians and related planning documents. (Jung-Han Chen, Community Development Director)

Mr. Chen advised in the early part of the year the Planning Commission held a joint Work Session with City Council to identify items the Planning Commission would like to move forward with. Mr. Chen noted one of the items identified was Alternative Modes of Transportation. Mr. Chen advised Miami University had engaged a consultant to develop their campus-wide pedestrian and bicycle safety master plan. Mr. Chen noted the Planning Commission was fortunate to have a graduate IES student help them identify from the City's perspective what kinds of pedestrian and bicycle safety issues needed to be brought to the City's attention. Mr. Chen advised the Planning Commission was pleased with the report entitled 'Shifting Gears' and the recommendations included in the report but felt a thorough engineering analysis was needed. Mr. Chen noted staff used the report and reports that had been done previously and created goals and objectives for a city-wide pedestrian and bicycle safety plan and 2 maps showing the various corridors to be considered for short term and long term improvements. Mr. Chen advised the Planning Commission would like Council to ask staff to look at the two plans to see what improvements could be developed and what feasibility issues may be involved. Mr. Chen noted the Planning Commission would like a report from staff in April regarding short term improvements and a report in September regarding long term improvements. Mr. Chen advised the Planning Commission would also like Council to accept the goals and objectives document as well as the concept plan as planning documents for the Planning Commission to address the pedestrian and bicycle safety issues in the City.

Mr. David Prytherch, Chair, Oxford Planning Commission, thanked Council for his reappointment to the Planning Commission noting it was an honor to serve the community on the Planning Commission. Mr. Prytherch thanked staff including Mr. Popescu and Mr. Dreisbach for their collaboration so far in this process. Mr. Prytherch noted making the kind of improvements the Planning Commission wanted to make would require detailed analysis at the pavement level and thanked the Service, Community Development and Police Departments in advance for their assistance.

Mr. Prytherch advised the Planning Commission looked forward to staff's recommendations so the Planning Commission could forward more specific recommendations to Council later in 2013.

Mayor Keebler noted the proposed Resolution would allow Council to accept the report and pass it on to staff for recommendations. Mayor Keebler advised even though the report was well done there were a lot issues including traffic, engineering, street widths, etc. that may be controversial and may not be easy to implement. Mayor Keebler noted the professional staff needed to look at the proposed improvements and report back to the Planning Commission.

Mr. Bogard requested a copy of the 'Shifting Gears' report and noted members of Council who did not already have the report should have a copy. Mr. Bogard inquired if any consultation was done with OKI with regard to the development of the report and Mr. Chen advised no. Mr. Bogard advised the final analysis would need to include a plan to intersect with other bicycle corridors to make it a regional pedestrian/bicycle plan.

<u>Ms. Rousmaniere moved to adopt Resolution No. 4721. Mr. Harman seconded. The motion passed 7-0-0.</u>

<u>ORDINANCE</u>
<u>FIRST READING</u>

<u>ORDINANCE</u>
<u>NEW SECTION 353.05</u>

An Ordinance Repealing Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amounts And Time Limitations" And Adopting New Traffic Code Section 353.05 Of The Codified Ordinances Of The City Of Oxford, Ohio, Entitled "Payment; Amounts And Time Limitations". (Bob Holzworth, Police Chief)

Chief Holzworth advised several years ago 20 minute parking meters were installed with the intention that they would be a convenience for people and that they would allow quick turn-over of the parking spaces. Chief Holzworth noted as staff looked at occupancy rates and talked to citizens and business owners they found that 20 minutes was not a sufficient amount of time for short term meters. Chief Holzworth advised many of the 20 minute meters were changed to 2 hours because the surveys indicated that was what most people preferred and only 8 meters were kept as short term meters. Chief Holzworth noted the definition of short term was changed from 20 minutes to 30 minutes.

Mr. Bogard advised meters along Campus Avenue were changed from 20 to 30 minutes and noted from his experience working at the Campus Avenue Building that 30 minutes may not be sufficient especially during peak times of the year at Miami. Chief Holzworth advised if 30 minutes was not appropriate for that area he was not opposed to suggesting another change.

Mr. McKeehan referred to page 69 of the agenda and inquired if the City still had multi-space meters. Chief Holzworth advised no. Mayor Keebler suggested that staff should consider striking that language for the second reading of the Ordinance.

ORDINANCE
SECOND READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3195 Amending Ordinance No. 3159. Supplemental Budget Ordinance No. 4 To Make Supplemental Appropriations For Fiscal Year 2012. (Joe Newlin, Finance Director)

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

Mr. Snyder moved to adopt Ordinance No. 3195. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised the House Ways and Means Committee took sponsor testimony on House Bill 601 which was the Municipal Income Tax Uniformity Bill. Mr. Elliott noted it looked as if 5 items included in the bill would have a negative financial impact of about $50,000 on the City which was not as great as the City originally anticipated. Mr. Elliott advised this information was provided to the City by the Regional Income Tax Agency. Mr. Elliott noted his hope there would be some amendments to the bill but he wanted Council and the public to know what the impact would be on the City if the bill passed as written. Mr. Elliott advised staff would monitor the progress of the bill closely.

Chief Holzworth advised the Thanksgiving break went relatively well although there were still 4 or 5 break-ins in spite of OPD and MUPDs best efforts and extra patrols. Chief Holzworth noted he would meet with Chief McCandless tomorrow to discuss the status of the collaboration efforts between the City and Miami and to discuss how to better patrol during the winter break. Chief Holzworth urged everyone to take whatever was portable and valuable with them if they left town for the winter break.

Mr. Kyger noted the City was very fortunate to have the Oxford Farmers Market and advised the Cincinnati Magazine recognized it as one of the top 5 in the region. Mr. Kyger noted combining the two markets in the Uptown District would only make it better.

Mr. Kyger advised the new Hampton Inn would hold an open house tomorrow from 4-7 p.m.

Mr. Harman thanked Ms. Prue Dana for her efforts in establishing the Oxford Farmers Market.

Mr. Harman noted many years ago the market was nothing more than a group of people meeting at a church and from that it had grown into something phenomenal. Mr. Harman advised people from all around the area came to the Oxford Farmers Market. Mr. Harman noted several years ago he did not see the two markets merging and he was glad it happened.

Mr. McKeehan noted he was very happy to hear that the two farmers markets were merging.

Mr. McKeehan reminded everyone that the Oxford Lions Club Christmas Tree Sale was ongoing in the Uptown Park.

Mr. Blackburn thanked Mr. Elliott and Mr. Kyger for their efforts with regard to the Princess Theatre and for looking out for the City's interest.

Ms. Rousmaniere thanked the citizens of Oxford for getting engaged in the conversation about the theater and for being innovative in their thinking. Ms. Rousmaniere noted her hope that citizens would continue to be patient and creative and send their recommendations to Council to discuss further improving the City. Ms. Rousmaniere noted it was inspiring to have so many people feel so positive about the City.

Mr. Bogard noted with the merge of the two farmers markets it may grow beyond the boundary of lot 52 and the City should plan to assist with a possible expansion.

Mr. Bogard reminded the public that the winter schedule for yard waste pick-up was in effect and yard waste would be picked up the first full week of each month.

Mayor Keebler advised the January 1, 2013 City Council meeting was cancelled due to it being a holiday.

Mayor Keebler noted the City of Oxford's Holiday Festival was very successful and the warmer weather was appreciated.

ADJOURN

Mr. Bogard moved to adjourn at 9:25 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.