

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, November 15, 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. John Jones, Police Chief; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Ms. Southard seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

NOTICE TO LEGISLATIVE AUTHORITY

Notice to Legislative Authority – New D5i Permit for Scotty’s Thr3e Wise Men Brewing Company Ohio LLC DBA Scotty’s Thr3e Wise Men 325 S. College Avenue, Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger advised the liquor permit being reviewed was for Scotty’s Brewhouse to be located on S. College Avenue. Mr. Kyger noted a D5i permit came with stipulations as outlined on page 5 of Council’s packet. Mr. Kyger advised Shawn Dickens and Mike Mullins from Scotty’s Brew house were in attendance and Shawn would be the General Manager of Scotty’s Brewhouse when it opened.

Mr. Mike Mullins, advised Scotty’s was a family friendly sports bar and was established 20 years ago in Muncie, off the campus of Ball State University. Mr. Mullins noted they had been exclusively in Indiana until recently. Mr. Mullins noted Scotty’s recently opened in Florida and in Illinois. Mr. Mullins advised this was an exciting time for Scotty’s and they wanted to be part of the community. Mr. Mullins noted Scotty’s participated in a lot of philanthropic events within the communities they were located.

Mr. Dana referred to page 5 of Council’s packet and noted a stipulation for obtaining the D5i permit was for the restaurant to be located on property with a value over \$700,000. Mr. Dana inquired what the value of the property in question was. Mr. McHugh advised Scotty’s was leasing space in the Stewart Square complex and the entire complex was included in the property value.

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

PUBLIC COMMENTS

Ms. Tomoko Brown, advised she was originally from Japan, had lived in the United States for almost 25 years and in Oxford over 11 years. Ms. Brown noted she was a legal permanent resident and even though she had been in this country nearly 25 years she didn't have citizenship and could not vote. Ms. Brown advised there were a lot of people like her in Oxford because Miami University attracted a diverse group of people from all around the world. Ms. Brown noted after the election she started to hear about children and adults feeling anxious and threatened and she started hearing stories about harassment and teasing in schools and in communities. Ms. Brown advised when she decided to move to this country she thought it was one of the greatest nations on earth but today she was losing hope. Ms. Brown noted she had never been afraid in Oxford and now she was afraid to walk after dark on campus to her car and she feared her daughter walking to the bus stop at 6:15 a.m. Ms. Brown advised she had never thought of being yelled at on the street just because she was Asian and now that was a real possibility, and it may soon be a reality for her kids to be teased because of how they look. Ms. Brown noted she felt living in Oxford was like being inside a big bubble and right now we may be protected although she felt it was a matter of time before that changed. Ms. Brown advised Sunday night she wrote an email to all major leaders in the community asking them to come together and proactively let everyone know these types of behaviors are not acceptable in this community. Ms. Brown noted just because things are happening at the national level doesn't mean people have to treat each other badly in this community. Ms. Brown advised no matter what you believe in or who you voted for in this election we should be able to treat each other with respect and as human beings. Ms. Brown encouraged people not to look away when they saw someone being treated badly because they were a minority. Ms. Brown noted in times like this being able to treat others with respect despite differences, will show our true character. Ms. Brown advised without respect for others there won't be long lasting prosperity or economic advances in this country and there won't be a society that's respected by other nations. Ms. Brown noted most of her relatives were in Japan and they're watching how we handle this and the whole world was watching very closely not only how the new President will act but how the citizens and residents of this country will act. Ms. Brown advised we all need to set aside our differences and start doing our own part to make our society a better place for everyone.

Ms. Ann Whelpton, advised she had lived in Oxford for 45 years and was involved in a number of community groups and tonight she would share her personal views and a few hopes. Ms. Whelpton noted she felt everyone knew the national climate for self expression and public discourse was disrespectful, angry and potentially dangerous. Ms. Whelpton advised she felt strongly we could not allow words or actions of hostility or intolerance to spill into this community and harm especially our children and their sense of security and quality of life. Ms. Whelpton noted throughout her many years here she experienced a wonderful quality of life and was secure in the knowledge that she belonged to a supportive community, worked for a supportive and fair employer, and could count on the community to respect her and keep her and her family safe. Ms. Whelpton advised there were many who lived here who were not feeling included and supported and she was aware that some worried they might not be as safe and supported today as they were a week ago. Ms. Whelpton noted she believed it was an important time for community members, officials, and leaders throughout the City and the wider Oxford area to reaffirm publically that this community holds itself and others to high standards of civility and safety and that we stand together against intimidation, harassment and devaluation of anyone in any form.

Ms. Whelpton advised she felt this was the right thing to do and it should be backed by law, charters and policies noting we had already seen many of these affirmations come forward. Ms. Whelpton thanked those who had worked tirelessly for years to make and keep the quality of life, safety and well being in this community of upmost importance. Ms. Whelpton thanked Kelly Spivey, Superintendent of Talawanda Schools, and Greg Crawford, President of Miami University for their respective communications this week to their students faculty and staff which clearly reinforced the expectations of inclusion, tolerance and respect as core values of their respective institutions. Ms. Whelpton noted she was aware that reaffirmation of these community values must be continued although many will say there are no problems here. Ms. Whelpton advised her awareness was not based on hear say and provided several examples of things she heard first hand in town this past week such as: an inter-racial couple saying they feel safe in Oxford but wonder if they are safe outside the City limits, a professional documented Latino father wondering where the safest place in the US was to raise his son, a women reporting gender related profanities being yelled at her through her car window presumably because of her bumper sticker. Ms. Whelpton noted she heard men talking openly and loudly in an Uptown restaurant about their 1-3 rating scale for women based on body type and body parts. Ms. Whelpton advised in another eatery she heard a worker say they did not want to wait on a certain table because the customers were old, slow and hard of hearing. Ms. Whelpton noted she had conversations with others this week liberals and conservatives alike who felt disrespected, characterized and judged by how they voted, their level of education, the kind of work they do, whether they do or don't go to church, where they were born and even for their grammar, vocabulary or accent. Ms. Whelpton advised the common thread was that we need to agree to disagree civilly. Ms. Whelpton noted everyone was concerned about upticks in incidents of intolerance and hostility and everyone hoped for civil discourse and non-violent opposition to views going forward. Ms. Whelpton advised a small group of people met at her house on Sunday to talk about healing and reconciliation and they would like to see the creation and publishing of a statement affirming the collective Oxford area stood for inclusion, safety, respect and civility for all. Ms. Whelpton noted we needed to establish and promote the use of a centralized system for reporting any incidents of intimidation or harassment to include appropriate follow up and monitoring and she understood one of the City's commissions may be doing some of that work. Ms. Whelpton advised we also needed to share information about resources for coping with stress and developing skills for peaceful reconciliation. Ms. Whelpton encouraged anyone interested in this initiative to let her know and someone would be in touch with them in the coming weeks as details developed.

Ms. Linda Boardman, 4385 Harris Road, advised she was a 30 year resident of the area. Ms. Boardman noted she represented the PFLAG organization who provided support to families and allies of the LGBTQ community. Ms. Boardman advised PFLAG was also concerned with incidents happening around the country and they were passionately committed to combating harassment and bullying in all its forms against all vulnerable individuals and groups of society. Ms. Boardman thanked Council for adopting Oxford's Civil Rights Code noting Council should be proud of it. Ms. Boardman noted PFLAG would like to collaborate with the City, the Talawanda School District, Miami University and other local organizations to take meaningful actions to prevent any hate behaviors in this community.

Ms. Holly Morrish, 3200 Oxford Reily Road, noted she was speaking as the Communications Director for the Talawanda School District, and Co-Chair of the Talawanda Miami Partnership. Ms. Morrish advised Tomoko Brown encouraged her to attend the meeting this evening and Ms. Brown brought some concerns to the School District's attention. Ms. Morrish noted Administrators of the Talawanda School District had been talking for many months about the potential for disharmony in the school district as the November election approached. Ms. Morrish advised in preparation for the election, materials were sent to the Talawanda administration, faculty and staff from the 'Teaching Tolerance' model. Ms. Morrish noted the material contained helpful tips which could be utilized by teachers while in their classrooms or in the hallways overhearing how students were talking to one another and treating one another. Ms. Morrish advised beginning last Friday she and other administrators began receiving phone calls regarding inappropriate exchanges between students. Ms. Morrish noted in response to that, she and the Superintendent co-authored a letter they shared with faculty, students and parents which clearly outlined expectations for behavior and what will and what will not be tolerated regarding treatment of one another. Ms. Morrish advised there would be consequences if those expectations failed to be met. Ms. Morrish noted the district was very open to partnering with leaders or organizations in the community that felt it would be beneficial to join efforts on initiatives to bring people together and help diffuse some of the current disharmony. Ms. Morrish discussed two ways through the school district to report issues of bullying or harassment and noted each report was followed up on. Ms. Morrish discussed another initiative called Safe Zone Training and advised she would provide additional information to anyone interested in participating.

Mr. Hank Stevens, 9 Patrick Drive, noted he was honored to be part of this community and advised many of the words he heard this evening were touching. Mr. Stevens noted he agreed with everything that had been said. Mr. Stevens advised he was a scientist and encouraged the community and Council to develop leadership and to continue the practice of leadership in all issues of civility, civil rights, social justice issues, and economic issues that are associated with local, state and global environmental concerns that effect everyone. Mr. Stevens advised as a parent of a LGBTQ child he was particularly interested in civil rights issues in that vein but it applied to all of us whether it's old folks, young folks or handicapped individuals. Mr. Stevens noted he was a tall white successful male and lived in the most privileged class there was and it was up to people like him and all of us to stand up for each other.

Ms. Fran Jackson, 114 Country Club Dr., advised she had been a resident of Oxford for over 40 years. Ms. Jackson noted she had been very concerned with the climate in Oxford. Ms. Jackson advised she loved Oxford and raised her children here in Oxford. Ms. Jackson noted she became aware of incidents occurring that do not make the City look good and it makes citizens feel uncomfortable. Ms. Jackson advised she represented the Oxford NAACP noting the National NAACP is the oldest and most respected civil rights organization in the nation. Ms. Jackson advised the NAACP worked hard to promote civil rights and equality in all communities for all citizens. Ms. Jackson noted she would like City Council to reaffirm the City's commitment to civil rights and referred to Oxford Codified Ordinance Chapter 143 entitled 'Civil Rights; Community Relations Commission. Ms. Jackson advised she would appreciate Chapter 143 being re-stated this evening. Ms. Jackson advised she supported City Council and the Oxford community. Ms. Jackson noted her hope for continued efforts to maintain civil rights for all citizens.

Ms. Jackson read the NAACP Pledge as follows: "I believe all Americans have equal rights and equal value. I cherish the diverse cultures, beliefs and values of America. I believe we can disagree without being disagreeable. I repudiate all acts of racism and hate, both in words and action. I have faith in the promise of America - a promise built on mutual respect, common civility and hope for a better tomorrow. I commit to building that better America by participating actively and peacefully in the democratic process. We are one people. We are one nation. I'm an NAACP American."

Ms. Kathy McMahon Klosterman, advised the City had a vehicle for complaints and it may not be well known. Ms. McMahon Klosterman encouraged those interested to view the City's website under Boards and Commissions/ Community Relations Commission. Ms. McMahon Klosterman noted there was a form available for filing complaints regarding harassment or bullying. Ms. McMahon Klosterman asked that the information on the website be made overtly clear to everyone. Ms. McMahon Klosterman noted she felt we needed to think about proactive measures, not always suggesting what not to do but giving individuals (especially students) things to do. Ms. McMahon Klosterman suggested teaching conflict mediation and conflict resolution skills just like reading, writing and arithmetic were taught. Ms. McMahon Klosterman noted if one were to file a complaint with the Community Relations Commission their goal was to find creative problem solving solutions in a positive response to any complaint that help make this a healthy community for everyone. Ms. McMahon Klosterman noted her hope everyone would educate themselves as allies to individuals who felt marginalized in the community.

Mr. Matt Ziegman, advised he was a RA and a student on campus and thanked Council for the venue to have this discussion. Mr. Ziegman noted he observed uncertainty among the student population during the past week. Mr. Ziegman advised he also observed various racial and homophobic slurs that should not be said or tolerated. Mr. Ziegman noted he felt the student body at Miami was resilient and would not fall short of being an inclusive community in time. Mr. Ziegman advised he appreciated that the City held the values of inclusion and togetherness as important and noted the students felt other things should be done to show it and put into action.

Mr. Mark Gilmore, noted he was a Talawanda and Miami University graduate and a resident of Milford Township. Mr. Gilmore advised he was in attendance in response to an email he saw this afternoon which suggested people come to the meeting tonight. Mr. Gilmore noted he was in attendance to bear witness and express solidarity against the hateful rhetoric which has largely been spewed by the President Elect. Mr. Gilmore advised his particular concerns were the President Elect was an avowed climate denier, Sarah Palin was on deck to be Secretary of the Interior, Myron Ebell, an avowed climate sceptic/contrarian, was about to lead the EPA transition team and hydro fracking mogul Harold Hamm was set to become the new Secretary of Energy. Mr. Gilmore noted he was afraid the incremental progress made towards checking climate change would be abandoned with the new administration. Mr. Gilmore advised many activist City Council's around the country have passed ordinances and proclamations in protest of certain issues. Mr. Gilmore suggested that the City proclaim it will not abide by certain decisions made on the federal level. Mr. Gilmore thanked Council for the work they do and for listening.

Mr. David Prytherch, 6195 Contreras Road, advised in the world we live in the work that Council does and the work we do together is about the most important work that one can imagine doing. Mr. Prytherch noted we lived in a world different than it was 10 days ago. Mr. Prytherch advised students were shocked, dismayed and concerned about the future. Mr. Prytherch noted he could tell his students no matter what happened in Washington, almost everything in your community is shaped by local government and the local government was very accessible to them. Mr. Prytherch advised he could speak from experience and he felt blessed to work with so many people on local issues that everyone didn't always agree upon but the work is done carefully and with great civility. Mr. Prytherch noted he was proud to be part of governance in the City of Oxford. Mr. Prytherch noted he could tell his students with great confidence that if you focus on the local level you can make enormous change and if you aggregate from the local perspective on up to the global any of the problems discussed this evening could be changed locally. Mr. Prytherch advised he felt given the way the world is today the way we work may not be sufficient to address the challenges we face and we are going to have to work harder. Mr. Prytherch noted usually Council and the Planning Commission see an empty audience and were not engaging with the community but talking amongst themselves. Mr. Prytherch advised he felt we needed to commit ourselves to working harder, smarter and thinking bigger because the little things we do locally add up. Mr. Prytherch thanked Council for the opportunity to work with them and others and noted his hope we could all 'up our game'. Mr. Prytherch noted the world needed it and we owed it to our kids and to ourselves. Mr. Prytherch advised he looked forward to collaborating with Council on many things in the future.

Mayor Rousmaniere advised she was honored to be among active citizens who were concerned about the community. Mayor Rousmaniere noted local government was interesting and exciting and the City had vacancies on its Boards and Commissions.

Mr. Elliott thanked everyone for attending the meeting and sharing their concerns. Mr. Elliott noted Oxford still valued inclusiveness, diversity and Oxford was a welcoming community. Mr. Elliott clarified that the complaints addressed by the Community Relations Commission focused on issues of discrimination regarding employment, housing and public accommodations.

Mayor Rousmaniere read part of Oxford Codified Ordinance Chapter 143 as follows: 'The City of Oxford Civil Rights Code Chapter 143 prohibits discrimination in employment, housing and public accommodations. The code's definition of discrimination includes segregation or separation and any difference in treatment based on race, color, religion, ancestry, national origin, sexual orientation, sex, gender identity, disability, age, pregnancy, height, weight, or veteran status. A person, company or other organization may not discriminate in Oxford with regard to employment, housing and public accommodations.' Mayor Rousmaniere recognized members of the Community Relations Commission in attendance including Pat Meade, Kathy McMahon Klosterman and Rebekah Bolser.

CONSENT AGENDA

Mr. Dana requested removal of item B. Environmental Commission Report.

MINUTES

Minutes of the November 1, 2016, 2016 City Council Meeting. (Kim Newton, Acting Clerk of Council)

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

REPORTS

Report regarding the November 2, 2016 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Mr. Dana referred to page 17 of Council's packet and highlighted the work being done by the Environmental Commission with regard to crafting Sensitive Development Areas language for Planned Developments. Mr. Dana advised there had previously been no work done with regard to this issue although it was addressed in the regular subdivision code.

Ms. Southard thanked Mr. Dana for bringing the initiative by the Environmental Commission to the public's attention. Ms. Southard noted her hope the language would be completed soon.

Mayor Rousmaniere advised the Environmental Commission was very close to completing the language for developing sensitive areas within Planned Developments.

Mr. Dana moved to approve the Environmental Commission Report. Ms. Southard seconded. The motion passed 7-0-0.

RESOLUTION

RESOLUTION **HOLIDAY PARKING**

A Resolution No. 5025 Authorizing the City Manager to waive parking meter fees on High Street, East Park Place, West Park Place, Poplar Street, Main Street and Beech Street between Walnut Street and Church Street, and in the southern (2-hr) section of Lot 52 from 9:00 a.m. on December 19, 2016 until 6:00 p.m. on December 31, 2016. The two hour restriction for meters in these locations will remain in effect. (John Jones, Police Chief)

Chief Jones advised this was an annual Resolution to bag parking meters with a plastic cover that reads 'Happy Holidays – Free Parking'.

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

Ms. Southard noted this was a great way to encourage shopping locally. Ms. Southard thanked City staff for making newsworthy information more accessible on the City's website.

Mr. Dana moved to adopt Resolution No. 5025. Ms. Southard seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

GLENWOOD ENERGY
RATES AND CHARGES

An Ordinance To Amend Ordinance No. 3298 Regulating The Rates And Charges To Be Charged And Collected And The Services To Be Rendered By Glenwood Energy Of Oxford, Inc., Its Successors And Assigns, For Gas And Gas Service Furnished To All Of Its Customers Within The Corporate Limits Of The City Of Oxford During The Period Ending February 28, 2018 By Authorizing Glenwood Energy Of Oxford, Inc. To Implement An Adjustment To The General Service Rate Authorized By Ordinance No. 3298 To Recognize The Impact On Revenues Of A Change In The Heating Value Of The Natural Gas Furnished To Customers Subsequent To The Adoption Of Said Ordinance. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in 2011 City Council passed an Ordinance granting a franchise to Glenwood Energy and establishing the rate structure. Mr. Dreisbach noted a component of the gas bill included the Gas Cost Recovery (GCR) portion and as the price of natural gas goes up or down Glenwood did not make a profit from buying the energy. Mr. Dreisbach advised Glenwood Energy made their money on the General Service Rate (GSR) noting there were expenses to distribute the gas, provide and read the meters, do the billing, and administration of the company. Mr. Dreisbach noted Council approved the GSR and it was in units of 1,000 cubic feet. Mr. Dreisbach advised the Ordinance was amended in 2014 to allow Glenwood Energy to recover costs associated with the relocation of gas mains to accommodate the widening of US 27 South. Mr. Dreisbach noted now with the availability of natural gas coming from eastern Ohio and Pennsylvania it was much cheaper to bring that gas to Oxford verses from the Gulf of Mexico. Mr. Dreisbach advised one result of this supply change was that the BTU value of the new supply was higher, thus reducing the amount of gas required to obtain the same heating equivalent. Mr. Dreisbach noted since the company made its earnings based on the volume of gas sold, and not the price of the raw energy, the company collected significantly less revenue from its GSR. Mr. Dreisbach advised the cumulative loss of revenue forecast for the period January 2015 through December 2016 exceeded \$182,000. Mr. Dreisbach noted this amount would be amortized over a period of 48 months adding \$0.1218 per Mcf to the GSR. Mr. Dreisbach advised this fixed component increase was referenced in Section VI (ii) of the proposed Ordinance and would increase the monthly utility bill of a typical user approximately \$1.93 per month. Mr. Dreisbach noted Section VI (i) of the proposed Ordinance addressed the variable component of the rate calculations and allowed the rate to be adjusted based on actual data obtained every six months. Mr. Dreisbach advised by allowing a variable component in the rate, the interest of both the utility user and company were protected by a review of actual costs and gas quality data to ensure fair adjustments were made to the GSR.

Mr. Dana noted the company made its earnings based on the volume of gas sold and inquired why they couldn't change their business model to some degree and make their earnings based on the price of raw energy. Mr. Dreisbach advised the gas from eastern Ohio and Pennsylvania not only has a higher BTU value it is also much less costly to transport to Oxford. Mr. Dreisbach noted rate payers had saved over \$125,000 in transportation costs and that is reflected in the rate adjustments. Mr. Dreisbach advised the PUCO does not permit the company to make money on the cost of energy.

Mr. Ellerbe referred to Section ii of the proposed Ordinance on page 24 of Council's packet and inquired if the rate adjustment would only last 4 years. Mr. Dreisbach noted it would be in place until the company recovered the maximum amount of the shortfall or 48 months. Mr. Ellerbe referred to the Variable Component in Section i noting it was evaluated every 6 months and inquired if it was applied yearly. Mr. Dreisbach advised it would be applied every 6 months.

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

Ms. Southard noted it made environmental sense for Council to be pleased the natural gas did not have to be transported for such a great distance. Mr. Dreisbach noted there was less pipeline and less transportation costs. Mr. Elliott advised it was a different source of gas which had a shale component.

Mayor Rousmaniere inquired if there was a possible change in the contract in the near future due to the variable component. Mr. Dreisbach advised a new contract would be considered in approximately a year. Mayor Rousmaniere thanked Mr. Dreisbach for explaining this complicated issue.

ORDINANCES

SECOND READING

ORDINANCE

CONDITIONAL USE PERMIT

An Ordinance No. 3379 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 he had no new information since the first reading of the proposed Ordinance. Mr. Chen clarified an issue raised by Mr. Dana at the last meeting regarding stacked parking.

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

Mr. Dana referred to page 35 of Council's packet and inquired if the applicant received a Certificate of Appropriateness from the Historic and Architectural Preservation Commission for the proposed project. Mr. Chen advised the COA would be sought after Council adopted the proposed Ordinance. Mr. Chen noted the HAPC did a concept review and was pleased with the proposed addition and the improvements to the property.

Mr. Dana moved to adopt Ordinance No. 3379. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Ms. Southard, Mr. Blackburn (6)

NAY: Mayor Rousmaniere (1)

ABS: None (0)

ORDINANCE
VACATION OF EASEMENT

An Ordinance No. 3380 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 the proposed Ordinance was related to the previous Ordinance. Mr. Dreisbach noted the City previously vacated the right-of-way and required an easement. Mr. Dreisbach advised the easement had never been utilized and staff had no intention to utilize it in the future and recommends approval of the proposed Ordinance.

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

Mr. Dana moved to adopt Ordinance No. 3380. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
2017 APPROPRIATIONS

An Ordinance No. 3381 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 referred to page 81 of Council's packet and highlighted areas of the 2017 budget. Mr. Newlin offered to answer any questions.

Mr. Dana advised there was approximately \$5,600 in the Affordable Housing Trust Fund. Mr. Dana noted page 87 of Council's packet indicated no activity had been registered with respect to it. Mr. Newlin advised that was correct and if the money were to be spent a Supplemental Budget would be necessary next year.

Mr. McKeehan moved to adopt Ordinance No. 3381. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
BUDGETED TRANSFERS

An Ordinance No. 3382 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 referred to page 89 of Council's packet and advised the function of a transfer Ordinance was to move money to fund from an operating fund to an improvement fund or to another fund for a department's operations. Mr. Newlin noted this was done annually to fund the improvement or operating funds for the City.

Mr. Dana referred to the Special Assessment Fund as listed on page 92 of Council's packet and asked Mr. Newlin to explain what it was and what it achieved. Mr. Newlin advised the Special Assessment Fund was usually for sidewalk improvements for the City. Mr. Newlin noted \$30,000 was generally budgeted per year to transfer to the fund and over time the money came back to the City through property taxes.

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

Mr. Dana moved to adopt Ordinance No. 3382. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
BUDGETED ADVANCES

An Ordinance No. 3383 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 briefly highlighted the budgeted advances as outlined on page 94 of Council's packet.

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

Ms. Southard moved to adopt Ordinance No. 3383. Mr. Dana seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
2017 FEES & CHARGES

An Ordinance No. 3384 Adopting Fees and Charges For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Newlin advised he had nothing new to report and suggested any questions be directed to the appropriate Department Head.

Mr. Dana referred to page 113 of Council's packet and asked for an explanation of item 4. Video Service Provider. Mr. Dana inquired how the service worked, what its purpose was and who used it.

Mr. Dreisbach advised many years ago the City's Advisory Utilities Commission reviewed issues such as cable television and how it impacted the City. Mr. Dreisbach noted the State Legislature removed the local municipalities ability to regulate fees and charges of cable television companies and the Advisory Utilities Commission was disbanded. Mr. Dreisbach advised prior to the legislature removing the City's ability to regulate fees and charges the City imposed a fee on every cable bill in Oxford and the revenue was used to broadcast public meetings and the expenses associated with broadcasting public meetings. Mr. Dreisbach noted the state allowed municipalities to maintain those fees to keep them whole. Mr. Dreisbach advised this fee has been in the Fee Ordinance for several years and allows the City to collect revenue it was accustomed to receiving from local cable bills.

Ms. Southard referred to page 104 of Council's packet regarding a \$200 fee for transporting an arrestee from Oxford to the Butler County Jail and the subsequent per diem fee of \$100. Ms. Southard inquired what happened if the arrestee could not afford to pay the fees. Chief Jones advised typically the fees come through the Butler County Court system and this would give the City of Oxford a fee structure should someone be taken to the Butler County Jail on a City of Oxford Ordinance violation verses a state violation. Chief Jones noted if a person couldn't pay the City of Oxford fee it would be a civil matter between the City and that person. Ms. Southard inquired if there was a fund for indigent people who couldn't afford to pay the fees. Chief Jones advised ultimately a warrant may be issued for failure to pay fines and the person would go back to jail. Chief Jones noted that is not what the City fees were for.

Mr. David Prytherch, 6195 Contreras Road, referred to page 114 of Council's packet, Street Cut Surface Repairs and noted he was grateful to have his street repaved this summer. Mr. Prytherch noted as part of the experience residents had to pay for the curb and gutter which he felt was fair and then they were billed for a fee associated with the repairs they were required to make. Mr. Prytherch inquired if that was the Street Cut Surface Repair fee or if it was something else. Mr. Dreisbach advised under City Ordinance it was a property owners obligation to keep curbs, gutters and sidewalks in good repair and free of nuisance and if that did not happen the City required improvements to be made. Mr. Dreisbach advised when curb, gutter or sidewalk work is performed a permit is required to make sure the work is done in conformance with City standards and specifications. Mr. Dreisbach noted after the work is inspected and approved a permanent repair is made to the street abutting the new concrete and that was the purpose of the fee. Mr. Prytherch noted it made sense but as a resident the inspection fee on top of the fee for doing the work seemed like double jeopardy.

Mr. Prytherch noted for a City trying to do a lot with a limited amount of money he felt the parking fees were too low. Mr. Prytherch recommended in the future the City take a more progressive and systematic look at parking fees to achieve the infrastructure, policy and environmental goals the City wanted to achieve. Mayor Rousmaniere suggested it might be time to re-activate the Parking and Transportation Advisory Board.

Mr. Dana moved to adopt Ordinance No. 3384. Mr. McKeehan seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance No. 3385 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 referred to page 119 of Council's packet and noted two small adjustments he made since the first reading of the proposed Ordinance.

Mr. Newlin advised at the last meeting Mr. Dana inquired what the total cost of healthcare was last year. Mr. Newlin noted the total cost less reimbursements was \$1,535,739 and the prior year it was \$1,591,420.

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

Mr. Dana moved to adopt Ordinance No. 3385. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
SALARIES AND BENEFITS

An Ordinance No. 3386 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 discussed two changes to the proposed Ordinance since the first reading noting the fulltime budgeted allotment for employees was 111 and there were 3 part-time custodians in the Parks and Recreation Department not 2.

Mr. Dana moved to substitute the revised version of the proposed salary ordinance. Mr. Blackburn seconded. The motion passed 7-0-0.

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

Mr. Dana moved to adopt substituted Ordinance No. 3386. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott referred to the earlier conversation and noted if someone felt threatened they should call the Police. Mr. Elliott noted he was touched by all of the comments and concerns expressed and advised everyone wanted to make sure Oxford was a welcoming community that values inclusiveness and diversity.

Mr. Elliott advised Human Resources Director, Candi Turpin, received her certificate for Senior Certified Professional from the International Public Management Association. Mr. Elliott congratulated Ms. Turpin for her accomplishment.

Mr. Elliott discussed the City property for sale at 4134 Millville Oxford Road noting the City would receive bids for this single family dwelling until Friday, December 9, 2016.

Mr. Elliott advised the Charter Advisory Commission met November 10, 2016 and reviewed the final recommendations for amendments to the Charter. Mr. Elliott noted the commission would make their recommendations to Council at the December 6, 2016 meeting. Mr. Elliott suggested a Work Session be scheduled prior to the regular meeting to review the proposed amendments.

Mr. Elliott advised the City was in negotiations with the Police Sergeants and Lieutenants and the Patrol Officers noting both contracts expired this year. Mr. Elliott his hope an agreement would be reached on both contracts in the near future and he would keep Council informed of the progress.

Chief Jones invited everyone to attend the retirement celebration for long time Public Safety Assistant, Eddie Butts. Chief Jones noted the celebration would take place at La Rosas on Friday, December 2nd from 5-7 p.m.

Mr. Chen advised Council appropriated \$35,000 this year to hire a consulting firm to update the cost estimate for the OATS Trail Phase II. Mr. Chen noted representatives from the firm would make a presentation regarding their findings to Council at the next meeting. Mr. Chen advised from there staff could seek funding for the additional segment of the trail.

Mr. Kyger noted Eddie Butts had worked for the City for over 30 years and he would be tough to replace.

Mr. Kyger advised the American Express campaign to Shop Local/Shop Small was November 26. Mr. Kyger noted on December 2nd the Chamber of Commerce was hosting a 'Twas The Night Before' event from 5-8 p.m. for everyone to enjoy shopping and holiday treats at most of the local Uptown businesses. Mr. Kyger advised December 3rd was the Holiday Festival hosted by the Oxford Chamber of Commerce, the Oxford Community Arts Center and the Oxford Parks and Recreation Department noting it would be a full day and evening of holiday activities.

Mr. McKeehan advised on Saturday the 58th annual Lion's Club Christmas Tree sale would begin in the Uptown Parks. Mr. McKeehan encouraged volunteers to help upload the trees at 11:30 a.m.

Mr. Ellerbe noted there had been a lot of changes in various climates recently and reiterated local government does make a difference and individuals can make a difference in those local governments. Mr. Ellerbe applauded everyone who addressed Council this evening and encouraged those having problems with their local government to go to a City Council meeting or to a Township Trustee meeting and let them know. Mr. Ellerbe noted someone would likely now look into the parking issue that Mr. Prytherch discussed. Mr. Ellerbe encouraged citizens to apply for positions on City Boards or Commissions and also to run for elected office. Mr. Ellerbe advised he ran for City Council because he wanted to make a difference in Oxford and he felt others could as well.

Mr. Dana advised Mr. Ellerbe's comments were a perfect segway into the relationship that could be formed between local government and state government. Mr. Dana noted much of what Council dealt with on a daily basis in terms of laws and mandates came from the state. Mr. Dana advised Candice Keller was just elected as Representative of the 53rd District and she said in an article recently 'I can't change big things but there are things that people in my District care about such as helping local communities receive state money'. Mr. Dana noted he, Mayor Rousmaniere and Councilor Southard would like to meet with Ms. Keller to discuss local funding and what they could work on together to make significant differences in the lives of citizens throughout the District, throughout the state and particularly in this community.

Mayor Rousmaniere quoted Ms. Keller as saying 'I'm going to bat for my District' and noted she looked forward to meeting with her.

Mr. Smith thanked everyone who spoke this evening and raised a lot of issues that Council needed to be aware of.

Ms. Southard advised 'Empty Bowls' took place Saturday, November 12th noting it was an incredible community event. Ms. Southard advised more than 700 people attended and more than \$7,000 was raised for the Oxford Community Choice Pantry. Ms. Southard noted the event took place at the Oxford Community Arts Center. Ms. Southard advised she felt it was all about community and making sure our neighbors had the food they needed. Ms. Southard noted a little girl encouraged by her parents donated a handful of change to the cashier and Ms. Southard felt learning how to care for your community was something parents and the community had to teach their children. Ms. Southard advised among the people in attendance were 12 foreign students who received a free bowl and a free lunch compliments of Miami University and she felt that was a beautiful gesture to welcome everyone in the community. Ms. Southard noted we must continue to make sure everyone feels welcome and that everyone's identity is affirmed.

Mayor Rousmaniere advised approximately 50 people were in attendance this evening and 10 spoke during the public comments section of the agenda. Mayor Rousmaniere noted she spent time last week talking to people and listening to people about how they were feeling regarding the state of the world. Mayor Rousmaniere advised she attended 2 meetings on campus with students, attended the NAACP meeting last night and received emails from citizens speaking about adults, children, teenagers, international students, LGBTQ people and people of color who had experienced specific incidents of harassment, bullying, offensive behavior, fear and conflict. Mayor Rousmaniere noted every group she encountered was looking for leadership and she indicated to them it was a local problem and everyone should work on it together. Mayor Rousmaniere applauded and noted she was honored by the citizens who spoke this evening and advised she looked forward to working with them. Mayor Rousmaniere advised this was an issue everyone could take on personally and be conscious and reflective of what we say and do and not hurt, marginalize or alienate others. Mayor Rousmaniere noted some people in the community were particularly fearful and worried about the future and we needed to respect that and help take care of them.

ADJOURN

Mr. Dana moved to adjourn at 9:19 p.m. Mr. McKeehan seconded. The motion passed 7-0-0.