A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, December 1, 2009 at 7:30 p.m. Those members present were Ken Bogard, Kate Currie Bob Blackburn, John Harman and Kevin McKeehan. Greig Rutherford was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Steve Schwein, Police Chief; Mr Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Alan Kyger, Economic Development Director; Mr. John Detherage, Fire Chief; Mr. Steve McHugh, Law Director and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. McKeehan moved to adjourn to Executive Session at 7:00 p.m. in accordance with Ohio Revised Code Section 121.22 (G) for the purpose of discussing (1) Appointments to Boards and Commissions and Employee Evaluations. (3) Pending Litigation and (4) Collective Bargaining. Ms. Currie seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Ms. Currie, Mr. Blackburn, Mr. McKeehan, Mr. Keebler (5)

NAY: None (0)

ABS: None (0)

Mr. Harman arrived at 7:12 p.m.

RETURN FROM EXECUTIVE SESSION

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

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

NAY: None (0)

ABS: None (0)

PLEDGE OF ALLEGIANCE

Mayor Keebler called for the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to amend the agenda under Public Participation by inserting item B. Appointments to Boards and Commissions and item C. Request by Bethany Bower and Prue Dana: 'Acting Locally' and changing Public Comments to item D. Ms. Currie seconded. The motion passed 6-0-0.

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

PUBLIC PARTICIPATION

RECOGNITION

Prue Dana, Doug Ross and Alysia Fischer.

Mayor Keebler read and presented Ms. Dana with a Resolution commending her for her years of service on City Council. Mayor Keebler also presented Ms. Dana with a gift of appreciation from Council and staff.

Ms. Prue Dana, thanked the new Council members for stepping up to the plate to serve. Ms. Dana noted it had been an honor and privilege for her to serve on Council for the last eight years.

Mayor Keebler read and presented Ms. Fischer with a Resolution commending her for her years of service on City Council. Mayor Keebler also presented Ms. Fischer with a gift of appreciation from Council and staff.

Ms. Alysia Fischer, noted her thanks to Council and staff.

Mayor Keebler read and presented Mr. Ross with a Resolution commending him for his years of service on City Council. Mayor Keebler also presented Mr. Ross with a gift of appreciation from Council and staff.

Mr. Doug Ross, noted he highly recommended being on City Council for anyone living within the City limits noting it had been a wonderful learning experience. Mr. Ross wished everyone the best of health.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Currie moved to nominate Sierra B. Hughes to serve on the Community Relations Commission. Mr. Blackburn seconded. The motion passed 6-0-0.

PRESENTATION
YOUR TOWN
DESIGN WORKSHOPS

Ms. Prue Dana, advised she and Bethany Bower were requesting Council's consideration of an opportunity to apply for a National Endowment of the Arts grant called 'Your Town Design' workshop.

Ms. Bethany Bower, advised the formal name of the program was called 'Your Town: The Citizens Institute on Rural Design' which consisted of a two and a half day workshop which would bring together design professionals with community members sponsored by the National Endowment for the Arts. Ms. Bower noted the objectives included bringing community members together to identify development goals and empower them to gain resources they might use to implement change. Ms. Bowers discussed why Oxford was a good fit for the program and why Oxford was a good fit now. Ms. Bowers advised the grant would allow the township, City and Miami University to have a discussion on what they wanted the community to look like. Ms. Bower noted she and Ms. Dana had already met with the Geography, Architectural Science and Wilks Institute at Miami University as well as the Butler County Planning Commission, Oxford Township and the City of Oxford's Planning Department.

Ms. Dana addressed the handout she provided regarding the grant and the RFP and answered questions from Council regarding the initiative.

Mayor Keebler advised a Resolution of support for the grant application should be drafted for Council's consideration at the next meeting. Mayor Keebler advised prior to Council's consideration and vote on a Resolution they would have to know if there was a cost to the City, what the cost was to the City in staff time, and what the Planning Commission's level of support for the grant application was.

PUBLIC COMMENTS

Mr. Peter Schuller, 17 Quail Ridge Drive, noted he was following up on a request he made to Council on November 3, 2009 to make the 'in City' portion of Brookville Road a Target Enforcement Area including a stationery radar sign. Mr. Schuller advised he collected petition signatures that requested the speed limit be reduced to 25 mph which he would submit to the Clerk of Council.

Ms. Diana Durr, Executive Director, Oxford Visitors and Convention Bureau, thanked previous Council members on the behalf of the Board of Directors for working with them over the years. Ms. Durr welcomed the new Council members and noted she looked forward to working with Councilor Blackburn who would serve on the Board. Ms. Durr advised Doug Ross agreed to remain on the Board as a member at large.

Ms. Durr shared pictures and cards she received from the McGuffey Foundation School with Council members.

Mr. Matt Ciccone, Secretary, Off Campus Affairs, introduced himself to the new Council members. Mr. Ciccone thanked Ms. Dana and Ms. Fischer for the work they had done with the University.

Ms. Connie Elliott, 118 Homestead Avenue, thanked former Mayor Dana for her support of the Smoky and Tornado project and provided Council with information on the project.

CONSENT AGENDA

Mr. McKeehan requested removal of item D. Resolution and Mayor Keebler requested removal of item F. Resolution.

MI NUTES

Minutes of the November 23, 2009 City Council Organizational Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the November 10, 2009 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the November 19, 2009 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

RESOLUTION CONTRACT WITH NEYRA PAVING

A Resolution No. 4497 authorizing the City Manager to adjust the existing contract with Neyra Paving, Inc. for an amount not to exceed $128,570.00 to fully utilize the Community Development Block Grant (CDBG) funds available to the City for the year 2009. (Mike Dreisbach, Service Director)

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

RESOLUTIONS

RESOLUTION
WAIVE PARKING FEES

A Resolution No. 4496 authorizing the City Manager to waive parking meter fees on High Street, East Park Place, West Park Place, and in Lot 52 from 9:00 a.m. on December 21, 2009 until 6:00 p.m. on January 2, 2010. The two hour restriction for meters in these locations will remain in effect. (Steve Schwein, Police Chief)

Mr. Elliott advised Mr. McKeehan requested consideration of adding Poplar, Main and Beech Streets from Walnut to Church Street to the proposed Resolution to waive parking meter fees and he and Chief Schwein supported the request.

Ms. Currie inquired how many meters would be included in the initiative and Mr. Elliott advised approximately 300.

Mr. McKeehan moved to amend the proposed Resolution to include Poplar, Main and Beech Streets from Walnut to Church Street. Mr. Blackburn seconded. The motion passed 6-0-0

Ms. Currie moved to adopt Resolution No. 4496 as amended. Mr. McKeehan seconded. The Resolution was adopted by a vote of 6-0-0.

RESOLUTION
AGREEMENT WITH
LAN SOLUTIONS

A Resolution authorizing the City Manager to enter into an agreement with LAN Solutions for the purchase of computer equipment, software and professional services related to the City of Oxford's virtual server upgrade at a cost not to exceed $56,319.70. (Kim Newton, Assistant to the City Manager) **(Tabled)**

Ms. Currie moved to remove the proposed Resolution from the table. Mr. Blackburn seconded. The motion passed 6-0-0.

Mr. Elliott advised additional information and a new Resolution regarding the purchase of computer equipment would be provided at the December 15, 2009 meeting. Mr. Elliott requested the proposed Resolution be withdrawn.

Ms. Currie moved to withdraw the proposed Resolution. Mr. Bogard seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 10 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on pages 22 and 23 of the agenda.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 11 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin noted the proposed Ordinance was for end of year adjustments.

ORDINANCE
BUDGETED ADVANCES

An Ordinance Outlining Budgeted Advances For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 26 of the agenda.

ORDINANCE
BUDGETED TRANSFERS

An Ordinance Outlining Budgeted Transfers For The City Of Oxford, State Of Ohio, During The Fiscal Year Ending December 31, 2010. (Joe Newlin, Finance Director)

Mr. Newlin explained the budgeted transfers line item by line item.

ORDINANCE
HOTEL/MOTEL TAX

An Ordinance Modifying The Requirements For The Disposition Of Hotel/Motel Tax Receipts By Amending Section 183.03 Of The Oxford Code Of Ordinances To Comply With The Provisions Of The Ohio Revised Code Chapter 5739. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 31 of the agenda.

ORDINANCE
NEW SECTION
503.02 & 503.98

An Ordinance Repealing Oxford Code Of Ordinances Sections 503.02 And 503.98 And Adopting New Oxford Code Of Ordinances Sections 503.02 And 503.98 Titled 'Classification Of Civil Offenses' And 'Civil Fines'. (Steve Schwein, Police Chief)

Chief Schwein addressed his staff report as presented on page 33 of the agenda noting the proposed Ordinance and the next one were companion Ordinances. Chief Schwein thanked Mr. McHugh for re-working the language of the Ordinances.

Mr. McHugh noted the original language was reinstated in the proposed Ordinance as merging the Police and Fire civil citations with code enforcement civil citations did not work well. Mr. McHugh advised a new Ordinance was created to handle the Police and Fire civil citations.

ORDINANCE
NEW CHAPTER 507

An Ordinance Adopting New Chapter 507 Entitled 'Police And Fire Civil Citations', Section 507.01 'Police Civil Citations', Section 507.02 'Police Civil Citation Fines', Section 507.03 'Fire Civil Citations', Section 507.04 'Fire Civil Citation Fines', Section 507.05 'Notice Of Police And Fire Civil Offense And Civil Fine; Procedures', Section 507.06 'Answer To Notice Of Police Or Fire Civil Offense', Section 507.07 'Hearings', Section 507.08 'Default', Section 507.09 'Civil Proceedings', Section 507.10 'Administrative Regulations', Section 507.11 'Freedom From Improper Influence', Section 507.12 'Ex Parte Communications Prohibited', Section 507.13 'Definition Of Person' And Section 507.14 'Savings', Of The Oxford Code of Ordinances. (Steve Schwein, Police Chief)

Chief Schwein advised the intent of the proposed Ordinance was to not severely punish someone for a minor offense such as a u-turn, no front license plate or jaywalking. Chief Schwein noted the proposed Ordinance would eliminate a court appearance and $105.00 in court costs as well as paying an officer overtime to appear in court. Chief Schwein requested that Section 521.12 'Outdoor Furniture Restriction' be included in the proposed Ordinance noting his feeing officers would write more citations for this offense if it was a civil offense.

Mr. Harman noted his feeling less overtime and a reduction in fines was an excellent idea.

Ms. Currie requested clarification of the fireworks penalties which Chief Detherage addressed. Ms. Currie advised she was not inclined to include the Outdoor Furniture Restriction in the proposed Ordinance as the penalty had been changed from a misdemeanor to a minor misdemeanor and the Ordinance had been in a trial phase for a couple of years.

Mr. McHugh advised all of the offenses in question were minor misdemeanors but remained in the criminal code as well to give the officers and Fire Chief some flexibility.

Mr. Bogard noted his support for the inclusion of the Outdoor Furniture Restriction in the proposed Ordinance.

Mayor Keebler noted the question was whether or not a court appearance verses a civil citation caused less infraction. Mayor Keebler noted if the Outdoor Furniture Restriction was added to the proposed Ordinance he would like a report in a year from now showing the results.

Ms. Currie noted her feeling a court appearance was a deterrent to people not complying with the outdoor furniture restriction and she would like to see a report after a year if it was added to the proposed Ordinance.

Mr. Harman moved to add section 521.12 Outdoor Furniture Restriction to the proposed Ordinance. Mr. Bogard seconded. The motion passed 5-1-0 with Ms. Currie voting nay.

ORDINANCES
SECOND READING

ORDINANCE
EXTEND CONDITIONAL
USE PERMIT

An Ordinance No. 3092 Approving The Extension Of The Conditional Use Permit For A Miami University Community Federal Credit Union Branch Facility With A Drive-Through At 5120 College Corner Pike, Approved By Ordinance No. 2932 On November 21, 2006, For A Period Of Six Months. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was the third request for a six month extension of the conditional Use Permit and noted one more extension was available after which the construction and/or operation of the facility should be well underway.

Mayor Keebler inquired if the petitioner was present and Mr. Chen advised no. Ms. Currie noted the petitioner was present at the first reading of the proposed Ordinance.

Ms. Currie moved to adopt Ordinance No. 3092. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance No. 3093 Amending Ordinance No. 3033 Supplemental Budget Ordinance No. 9 To Make Supplemental Appropriations For Fiscal Year 2009. (Joe Newlin, Finance Director)

Mr. Newlin discussed his staff report as presented on page 50 of the agenda.

Mr. Bogard moved to adopt Ordinance No. 3093. Ms. Currie seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council on the US 27 North project.

Mr. Elliott noted the Council Retreat was tentatively scheduled for January 5, 2010 in place of the regular Council meeting at Hueston Woods from 4 to 8 p.m.

Mr. Elliott advised Oxford Township should sign the new Fire/EMS contract with the City at their December 14, 2009 meeting. Mr. Elliott advised a meeting would be scheduled soon with Milford Township to discuss a new Fire/EMS contract between them and the City.

Ms. Brahier reminded everyone that the Holiday Festival would take place this weekend and provided details of the events taking place Friday evening and Saturday.

Mr. Kyger congratulated Council on their first meeting.

Mr. McKeehan thanked staff and Council for support of his amendment to the Resolution waiving parking meter fees.

Mr. Bogard noted he and Mr. Elliott and Mr. Kyger were attending the Butler County Chamber Caucus Legislative Breakfast tomorrow morning. Mr. Bogard noted if members of the public wanted them to ask questions of the legislators they should see him after the meeting tonight.

Ms. Currie inquired if staff considered placing a radar sign on Brookville Road. Mr. Dreisbach advised he would like to review the petition submitted by Mr. Schuller. Mr. Dreisbach noted expenditures of this nature should meet the most needs not just one citizen's request.

Mayor Keebler advised Council asked the City Manager and Police Chief to work with the county and township to lower the speed limit from the Community Park into the City.

Mr. Elliott noted Chief Schwein sent a letter to the county requesting a decrease in the speed limit. Mr. Elliott advised a lot of the land on the south side was not within the City's jurisdiction.

Mr. Dreisbach noted when the Community Park was opened a study was done by the county which did not warrant a change in the speed limit.

Ms. Currie noted the New Years Eve open house to kick-off Oxford's Bicentennial would take place December 31, 2009 at the Community Arts Center from 4:00 to 7:00 p.m. Ms. Currie advised there would be a lot of fun events for children and adults.

Mr. Harman thanked Ms. Brahier and Ms. Durr for their efforts in bringing the Adidas Soccer Tournament to Oxford which was expected to bring $350,000 in revenue to the City.

Mr. Harman advised it had come to his attention that the City was absorbing the fees from Master Card and Visa for utility payments. Mr. Harman noted he would like to discuss options such as charging a flat fee to cover these costs. Mr. Newlin advised he was working on the issue and would provide additional information to Council in the next few weeks.

Mr. Blackburn thanked Chief Schwein for the special attention to rental properties during the Thanksgiving break.

Mr. Blackburn noted the Street Department did a great job with the leaf pick-up initiative.

Mayor Keebler noted former Mayor Dana would be a tough act to follow with respect to her organization, leadership, interaction with the community and organizations and general commitment to the position. Mr. Keebler advised he would give the position his best effort and thanked Council for electing him Mayor.

Mayor Keebler advised Council had a lot on the table such as assuring adequate Fire and EMS services, maintaining City services and infrastructure in light of reduced revenue, completing the US 27 N improvements, supporting the infrastructure for the new high school, US 27 S improvements, solving the Police, Court and Administrative space needs, improve economic development, continue to implement the goals of the Comprehensive Plan, work with the township on future growth and planning issues and to continue planning to add facilities at the Community Park including a new aquatic center.

ADJOURNMENT

Ms. Currie moved to adjourn at 9:02 p.m. Mr. Harman seconded. The motion passed 6-0-0.