A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, December 3, 2013 at 7:15 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith, Steve Snyder and Edna Southard.

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

ADJOURN TO EXECUTIVE SESSION

Ms. Rousmaniere moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (2) for the purpose of discussing property acquisition. Mr. Snyder seconded. The motion passed by the following roll call:

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

NAY: None (0)

ABS: None (0)

Mr. Blackburn recused himself from the discussion.

RETURN FROM EXECUTIVE SESSION

Mr. Snyder moved to adjourn from Executive Session at 7:40 p.m. Ms. Rousmaniere seconded. The motion passed 7-0-0.

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

RECOGNITION
KEN BOGARD & JOHN HARMAN

Mayor McKeehan read Resolution No. 4796 commending Ken Bogard for his service to the City of Oxford and its residents as a City Councilor from 2005 to 2013. Mayor McKeehan presented the Resolution to Mr. Bogard along with a thank you gift from the City.

Mr. Ken Bogard, thanked Council for the Resolution and thanked Council and the citizens of Oxford for 16 great years on Council. Mr. Bogard noted on a trip to England he had the opportunity to exchange gifts and have dinner with the Mayor of Oxford which was a real treat and the event was publicized. Mr. Bogard thanked everyone again for allowing him to serve as a City Councilor.

Mayor McKeehan read Resolution No. 4797 commending John Harman for his service to the City of Oxford and its residents as a City Councilor from 2009 to 2013. Mayor McKeehan presented the Resolution to Mr. Harman along with a thank you gift from the City.

Mr. John Harman, noted it was a pleasure to serve with his fellow Councilors and it was an honor to serve with the staff and wonderful employees of the City of Oxford. Mr. Harman wished everyone a great holiday season.

Mayor McKeehan thanked Mr. Bogard and Mr. Harman for their service to the City.

PRESENTATION
FARMERS MARKET

Mr. Larry Slocum, Market Manager, advised the Farmers Market would like to be open every Saturday as farmers were expanding their growing seasons. Mr. Slocum advised 8-10 vendors wanted to be there every Saturday and starting December 6th the market would be open.

Mr. Slocum performed his rendition of "It's Beginning to Look a Lot Like Market" for Council and the audience.

Mr. Slocum updated Council with regard to the 2013 Farmers Market season and noted it was a huge bridge between people of the community and Miami University students. Mr. Slocum advised the Farmers Market sponsored food stamps and their goal was to reach every Butler County resident who wanted to eat good food.

Council members thanked Mr. Slocum for his presentation and report.

PUBLIC COMMENTS

Ms. Prue Dana, 6314 Fairfield Road, thanked Mr. Harman for his service on Council and noted Mr. Harman stepped up to run for Council with his financial expertise. Ms. Dana thanked Mr. Bogard and noted he served with her on the Planning Commission many years ago and has served as her friend and mentor. Ms. Dana noted she felt the most remarkable thing about Ken was the way he thought of Oxford as part of a region. Ms. Dana advised Ken made Oxford part of the region by serving on the OKI Board and the Butler County Land Use Coordinating Committee and representing Oxford. Ms. Dana noted that service was important, good and valuable for Oxford as a City. Ms. Dana thanked the members of Council who ran again in 2013 and thanked Mr. Keebler for serving as Mayor the last 4 years noting that was an accomplishment. Ms. Dana thanked everyone on Council and noted they were very much appreciated.

CONSENT AGENDA

MINUTES

Minutes of the November 18, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the November 25, 2013 City Council Organizational Meeting. (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the November 20 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

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

RESOLUTION
NEIGHBORHOOD
CONSERVATION DISTRICT

A Resolution No. 4798 of Council accepting the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was the first petition the City had received to establish a Neighborhood Conservation Overlay District and noted the enabling legislation was adopted in 2012. Mr. Chen advised the purpose of the overlay district was to preserve traditional family oriented neighborhoods and the process started with a petition being filed with the Clerk of Council who verified the signatures of 2/3 of the property owners within the proposed overlay boundary. Mr. Chen noted the boundary conformed to the provisions outlined in the zoning code and staff was asking Council to accept the petition and forward it to the Planning Commission for consideration of an overlay district.

Mayor McKeehan inquired if anyone from the neighborhood was in attendance and Mr. Chen advised no.

Ms. Rousmaniere inquired what the process would be for the Planning Commission. Mr. Chen advised it would be the same as a Zoning Map Amendment, there would be a Public Hearing, and the Planning Commission would make recommendations to City Council for legislative action.

Mr. Snyder noted there were parcels that fronted Contreras Road that were not involved with the proposed overlay district. Mr. Chen advised the proposed overlay district may be amended in the future to include additional parcels.

Mayor McKeehan noted he was happy to see the petition come forward and advised he served on the Housing Advisory Board where the enabling legislation originated.

Mr. Keebler noted this was the first step in the process and there would be 3 more opportunities for the public to speak on the proposed overlay district.

Mr. Snyder moved to adopt Resolution No. 4798. Mr. Smith seconded. The motion passed 7-0-0.

**RESOLUTION
ASSISTANCE TO
FIREFIGHTERS GRANT**

A Resolution No. 4799 authorizing the City Manager to apply for the 2013 Assistance to Firefighters Grant Program in the amount of $480,000.00 with a $100,000.00 match by the City. (John Detherage, Fire Chief)

Chief Detherage advised he was asking Council's permission to apply for the 2013 Assistance to Firefighters Grant. Chief Detherage noted if successful, the grant award would be used to replace a fire engine that was almost 20 years old. Chief Detherage advised the new vehicle would allow equipment to be transported on one vehicle rather than on several vehicles which would be more efficient with the current staffing levels.

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

Mr. Snyder inquired when the purchase of the replacement vehicle would be approved in the capital budget and Mr. Elliott advised in 2016. Mr. Keebler referred to the staff report on page 32 of the agenda and inquired if the patient transport capability was being removed from the grant application and Chief Detherage advised yes. Mr. Snyder inquired why the grant was for 2013 and not for 2014. Chief Detherage noted the program was delayed due to budget issues within the Federal Government. Mayor McKeehan noted the City may or may not be awarded the grant and if not, the project would move forward in 2016. Mr. Keebler moved to amend Section 1 on page 33 of the agenda by striking the words "and a 1996 ambulance" since the new vehicle would only replace the pumper. Mr. Elliott noted if the City was successful in receiving the grant a supplemental appropriation would be required for the City's matching funds. Mr. Keebler noted the grant could always be refused. Mr. Keebler noted concern with spending $580,000 for a pumper and Chief Detherage advised the project amount was $480,000 which included the City's $100,000 match. Mayor McKeehan inquired if the words "and opening up bay space" should be stricken since only one vehicle was being replaced and Chief Detherage advised yes. Mr. Keebler suggested striking everything after "1996 pumper" to the end of the sentence in Section 1 on page 33 of the agenda and to replace the word "with" in the caption with the word "including".

Mr. Keebler referred to page 33 of the agenda and moved to strike everything after "a1995 pumper" to the end of the sentence in Section 1 and to replace the word "with" in the caption with the word "including". Mr. Snyder seconded. The motion passed 7-0-0.

Mr. Snyder moved to adopt Resolution No. 4799 as amended. Ms. Southard seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
NEW SECTION 1305.02

An Ordinance Repealing Oxford Codified Ordinance Section 1305.02 Entitled Additions, Insertions and Changes (To the Oxford Property Maintenance Code) And Adopting New Section 1305.02 Entitled Additions, Insertions And Changes (To the Oxford Property Maintenance Code) As Set Forth On Exhibit "A" Attached Hereto And Incorporated Herein By Reference. (Jung-Han Chen, Community Development Director)

Mr. Chen advised there were several amendments being proposed for Council's consideration within the proposed legislation, specifically dealing with carbon monoxide/photoelectric smoke detectors, foreclosed property notifications, tall grass notifications and vacant lot mowing requirements. Mr. Chen noted after a meeting with MU IFC and Chapel Hill Fire officials the City Manager directed staff to look into preparing legislation to require carbon monoxide and photoelectric smoke detectors to enhance life and safety considerations for all rental properties. Mr. Chen noted the carbon monoxide detector was only applicable for fossil fuel burning furnaces and they were required in all new buildings. Mr. Chen advised the second modification would add a notification requirement for foreclosed properties by allowing the City to monitor the condition of these properties and contact responsible entities when property maintenance concerns arose. Mr. Chen advised another proposed amendment would create a mowing requirement for vacant lots where only the front yard was mowed to be consistent with the streetscape of the block. Mr. Chen noted the last proposed amendment would stipulate that one tall grass violation notification was sufficient for the calendar year since it was the property owner's responsibility to keep an eye on the property.

Mr. Blackburn inquired what was considered a front yard. Mr. Chen advised it was based on the zoning district or whatever the platted subdivision stipulated, whichever was larger.

Mr. Keebler advised the property maintenance code defined rooming houses, lodging houses, etc. and inquired if commercial buildings were covered in the property maintenance code. Mr. Chen advised all existing structures were covered. Mr. Keebler referred to pages 39-40 of the agenda and advised he understood weeds being allowed to grow to 10" and noted he felt 10" was excessive for a grassed yard. Mr. Chen advised 10" was the threshold for the City to notify property owners of a violation and Council could amend that if they felt it was too tall. Mr. Keebler inquired how agricultural, wooded or undeveloped land was covered and asked if staff ignored those properties. Mr. Chen advised staff looked at subdivisions that were developed but had some vacant lots within them. Mr. Elliott advised he and Mr. Chen would look at proposing an exemption for large tracts of land and agricultural properties. Mr. Keebler asked staff to look at the 10" requirement for grassed yards before the second reading of the proposed Ordinance noting he felt it was too high. Ms. Rousmaniere clarified that owners would only be notified once per calendar year with regard to tall grass violations and the City would cause the grass to be cut each time is was over 10" high.

Mr. Keebler referred to PM-310.6.1 on page 43 of the agenda and inquired if the Building Code required a carbon monoxide detector outside of each sleeping area and Mr. Chen advised yes. Mr. Keebler noted concern that the requirement for carbon monoxide detectors and photoelectric smoke detectors especially for properties built in recent years that had inter-connected smoke detectors would be a financial burden. Mr. Chen noted the City's Building Official felt it would be a simple modification. Mr. Elliott advised he was not opposed to establishing a 'grandfather' period. Mr. Chen advised staff would look into the issue and offer a suggestion for the second reading of the proposed Ordinance.

ORDINANCE
NEW CHAPTER 921

An Ordinance Repealing Oxford Codified Ordinance Chapter 921 Entitled Water Service, And Adopting New Oxford Codified Ordinance Chapter 921 Entitled Water Service. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised staff reviewed Section 921 of the Oxford Codified Ordinances and made recommendations for changes to the code with 4 goals in mind. Mr. Dreisbach noted the changes would make the code easier to understand and clear to the average reader. Mr. Dreisbach advised fees and charges related to the code would be in one location. Mr. Dreisbach noted all technical information related to the water utility would be located in a technical manual and that information would not be codified. Mr. Dreisbach advised the changes would reduce the chances for conflicting information within the code. Mr. Dreisbach noted staff was recommending the re-examination of penalties for people who violated parts of the code as they were no longer a deterrent for people willing to take the hit for a $100 fine. Mr. Dreisbach advised the proposed new language was in bold and deleted items were struck through. Mr. Dreisbach offered to answer any questions.

Mayor McKeehan inquired if the public wished to comment on the proposed Ordinance. There were no public comments.

Ms. Rousmaniere inquired what the penalty would increase to. Mr. Dreisbach advised it would increase from $100 to $1,000.

Mr. Keebler referred to item 921.03 on page 49 of the agenda and noted the word Director should not be struck through. Mr. Keebler noted Chapter 923 for Wastewater had a lot of definitions and inquired why Chapter 921 had none. Mr. Dreisbach advised wastewater required definitions and the water utility was fairly simple. Mr. Keebler referred to pages 52 and 53 of the agenda and noted there seemed to be conflicting information regarding the property owner's responsibility for the installation of service lines. Mr. Dreisbach advised typically the owner's responsibility was from the curb stop to the building. Mr. Dreisbach noted in a town of this age there would be exceptions and there were exceptions now. Mr. Keebler referred to the first paragraph on page 54 and noted it didn't seem to read correctly. Mr. Dreisbach advised the word "and" in the 3rd line should be "to". Mr. Keebler noted the ordinance referred to the "City Auditor" and advised Oxford had a "Finance Director". Mr. Elliott noted that language came from the City Charter but he did not see a problem in changing the ordinance to reflect Finance Director. Ms. Southard noted a minor correction on page 63 of the agenda.

ORDINANCE
NEW CHAPTER 923

An Ordinance Repealing Oxford Codified Ordinance Chapter 923 Entitled Sewers And Sewage Disposal, And Adopting New Oxford Codified Ordinance Chapter 923 Entitled Sewers And Wastewater Disposal. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised his comments related to the water utility were applicable for wastewater. Mr. Dreisbach noted the Waste Water Treatment Plant (WWTP) was strictly regulated by the Ohio Environmental Protection Agency and there were strict discharge limits. Mr. Dreisbach advised this part of the code was more rigid and defining to protect the interest of the plant. Mr. Dreisbach advised the WWTP used natural processes to clean and remove pollution from the wastewater before it was discharged into Four Mile Creek and the plant had to be protected from solvents, chemicals and heavy metals as they could affect the City's discharge permit. Mr. Dreisbach noted if the bio-solids could not be applied to a farm field as a fertilizer product it would have to be land filled at $60 per ton rather than $18 per ton. Mr. Dreisbach advised the ramifications were great if the City was not able to get a fertilizer product at the end of its process. Mr. Dreisbach noted the proposed new language was in bold and deletions were struck through. Mr. Dreisbach offered to answer any questions.

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

Mr. Keebler referred to 923.14(a)(1) on page 83 of the agenda and inquired if reducing the amount of solids that required pre-treatment was a new standard or a new burden on certain industries. Mr. Dreisbach advised it was a reflection of the tightening of the City's permit by the Ohio Environmental Protection Agency (OEPA). Mr. Keebler inquired if there was one industry that would put this type of solid into the City's system and Mr. Dreisbach advised there were two, and there had been no compliance issues with either one.

Mr. Snyder noted during his first tenure on Council a number of years ago, compliance issues at the WWTP were frequent and he had heard of none over the past two years. Mr. Snyder advised a lot of improvements had been made in an era where the restrictions of the OEPA had tightened and there were a lot of improvements as to what went into the plant and what came out of it. Mr. Dreisbach advised over the last 15 years Council provided the funds and the means to make many improvements at the WWTP which were being made in bits and pieces. Mr. Dreisbach noted currently a 4 million dollar project was being finished at the WWTP.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3190. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2013. (Joe Newlin, Finance Director)

Mr. Newlin addressed the 5 issues contained in the Supplemental Budget as presented on pages 111 and 112 of the agenda.

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

ORDINANCES
SECOND READING

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3254 To Appropriate For Public Use All Right Title And Interest In A Certain Parcel Of Property Located At 4134 Millville-Oxford Road For The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised there were three Second Reading Ordinances on the agenda this evening which were similar and served the same purpose. Mr. Dreisbach noted this was one of the final steps to acquire all of the right-of-way necessary for the improvements to U.S. 27 South. Mr. Dreisbach advised the ordinances were similar to what Council already adopted for 11 other parcels and these were the final 3 that needed Council's approval this evening.

Mayor McKeehan inquired if the public wished to comment on the three ordinances and there were no public comments.

Ms. Rousmaniere stated this was to begin the legal process of acquisition. Mr. Dreisbach advised once the Ordinances were approved the matters would be filed with the Clerk of Courts in Butler County. Mr. Dreisbach noted the City would certify to ODOT that the right-of-way was acquired and ODOT would release the bid package and start the contract process.

Mr. Snyder moved to adopt Ordinance No. 3254. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3255 To Appropriate For Public Use All Right Title And Interest In A Certain Parcel Of Property Located At 4205 Millville-Oxford Road For The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road. (Mike Dreisbach, Service Director)

Mayor McKeehan inquired if there were any further comments from Council and there were none.

Mr. Snyder moved to adopt Ordinance No. 3255. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ORDINANCE
APPROPRIATE PROPERTY

An Ordinance No. 3256 To Appropriate For Public Use All Right Title And Interest In A Certain Parcel Of Property Located At 106 Thomson Court For The Purpose Of Acquiring Permanent And Temporary Rights-Of-Way To Construct And Widen Millville-Oxford Road. (Mike Dreisbach, Service Director)

Mayor McKeehan inquired if there were any further comments from Council and there were none.

Mr. Snyder moved to adopt Ordinance No. 3256. Mr. Smith seconded. The Ordinance was adopted by the following roll call:

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

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott advised a New Council Member Orientation Session was held on November 21st for Ms. Southard and Mr. Smith and they toured the Water Treatment Plant and the Waste Water Treatment Plant today.

Mr. Elliott advised the present EMS contract with Milford Township would expire on December 31, 2013 and he submitted an offer to the Milford Township Trustees to provide EMS service for $12,200 for 2014 and the same amount for 2015 which was a 20% increase. Mr. Elliott noted if the Milford Township Trustees accepted the proposal, a Resolution would come before Council on December 17th authorizing the City Manager to sign a two year contract.

Chief Holzworth advised the Police Department was very busy over the Thanksgiving break and conducted over 345 vacant house checks. Chief Holzworth noted there were only a few incidents during the break and the Police Department would implement the same strategy over the upcoming holiday break.

Ms. Brahier thanked the Street Department for decorating the Uptown and noted it looked beautiful. Ms. Brahier advised the Oxford Chamber of Commerce and the Oxford Visitors Bureau initiated a Christmas Walk Thursday evening from 5:00 - 8:00 p.m. and encouraged community members to participate in the event. Ms. Brahier advised Oxford's Holiday Festival would take place this Friday and Saturday and invited everyone to attend.

Mr. Kyger encouraged everyone to take part in the Christmas Walk on Thursday and encouraged everyone to support the "Shop Small" initiative this weekend. Mr. Kyger noted the small businesses supported the community and Saturday would be a good day to support the small businesses.

Ms. Southard noted she was delighted to be on Council and thanked Mr. Elliott and Ms. Eaton for organizing the New Council Orientation Session that she and Mr. Smith attended. Ms. Southard thanked all of the Department Heads who gave their time to share information about their operation noting it was very helpful. Ms. Southard thanked Mr. Elliott and Mr. Dreisbach for arranging the tour of the Water and Wastewater Plants today. Ms. Southard wished everyone Happy Chanukah.

Mr. Smith noted the orientation session with everyone was great as well as the tour of the water and wastewater facilities today. Mr. Smith advised he looked forward to Council having a successful year.

Mr. Snyder, Ms. Rousmaniere and Mr. Keebler welcomed new Council members Mike Smith and Edna Southard.

Mr. Blackburn noted the Lions Club Christmas trees arrived for sale in the Uptown Park. Mr. Blackburn advised he felt the Uptown looked gorgeous and it said a lot about our City and employees.

Mr. Keebler referred to a letter Council received from Mr. Gerardo Brown-Manrique asking Council to remedy some concerns with Time Warner Cable. Mr. Keebler advised that laws in the State of Ohio changed several years ago which took control of local franchises away from municipalities and gave it to the Public Utilities Commission of Ohio. Mr. Keebler further noted that cable television in Oxford was not a monopoly and any vendor was welcome to provide services to Oxford customers. Mr. Elliott advised that staff would respond to Mr. Brown-Manrique's letter.

Mayor McKeehan advised he received a letter from the Government Finance Officers Association notifying him that the comprehensive annual financial report for the fiscal year ended December 31, 2012 qualified for a Certificate of Achievement for Excellence in Financial Reporting. Mayor McKeehan commended Mr. Newlin and his staff for their fine work.

ADJOURN

Mr. Snyder moved to adjourn at 9:02 p.m. Mr. Blackburn seconded. The motion passed 7-0-0.