A regular meeting of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, December 4, 2018 at 6:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, David Prytherch, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Casey Wooddell, Parks and Recreation 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. Dana moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)1 for the purpose of discussing the Law Director position. Mr. Smith seconded. The motion was adopted by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Mr. Smith, Ms. Southard, Mr. Dana, Mayor Rousmaniere (6)

NAY: None (0)

ABS: None (0)

Ms. Raghu arrived at 6:53 p.m.

ADJOURN FROM EXECUTIVE SESSION

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

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

PRESENTATION
SHAREFEST 2018

Ms. Carol Michael, advised she was pleased to present the 2018 results of the ShareFest event. Ms. Michael noted ShareFest was a service and environmental nonprofit corporation dedicated to the collection and redistribution of items donated by Miami University students and the Oxford community at the end of the academic year. Ms. Michael advised collected items benefit residents in need and social service agencies throughout the region. Ms. Michael noted ShareFest had 4 purposes as follows:

1. Help individuals in need by providing them with access to furniture, household goods, clothing and food that are donated by Miami University students or by other community members at the end of the academic year.
2. Teach sharing and environmental ethics and an awareness of diverse backgrounds to the young people who are students at Miami University.
3. Protect and preserve the environment by preventing usable items from going into the landfill.
4. Help the City of Oxford dispose of unwanted items and help clean the City quickly.

Ms. Michael advised she was President of the Board, Holli Morrish was Vice-President, Karen Baker was the Treasurer and noted Jung-Han Chen has served as Secretary of the Board. Ms. Michael listed the 16 members of the Planning Committee noting they dedicated countless hours attending meetings to plan and coordinate ShareFest 2018.

Ms. Michael advised the recipient groups this year were Butler County and Preble County Success, The Family Resource Center in Oxford, Habitat for Humanity of Greater Cincinnati, Lighthouse Food Pantry in Hamilton, Ohio Valley Goodwill Industries and the Oxford Community Choice Pantry.

Ms. Michael noted it was a record year in donations with 300 off-campus pick-ups, a 4% increase from 2017, and 85 donation drop offs, a 13% increase from 2017. Ms. Michael advised 43 Residence Halls participated and noted the food collected was distributed to the Oxford Community Choice Pantry. Ms. Michael noted 194,007 pounds of merchandise was collected which was an increase of 12% over 2017. Ms. Michael advised ShareFest reduces City of Oxford post scavenger clean up time and saves 97 tons of material from going to the landfill.

Ms. Michael noted Butler County and Preble County Success helped at least 40 families in need including 7 families in the Talawanda School district. Ms. Michael advised the Family Resource Center collected and sold donations which brought in $2,500 and used the proceeds to provide services to low-income and homeless individuals in the Talawanda School District. Ms. Michael noted Habitat for Humanity of Greater Cincinnati worked to collect donations worth $15,000 to $20,000 which represents 10% to 15% of the cost of building one of their homes for a Habitat host family. Ms. Michael advised dozens of families will benefit by purchasing needed household items at low cost at the Habitat stores. Ms. Michael noted the Lighthouse Food Pantry collection resulted in $15,000 for their food pantry currently serving approximately 1,000 people in need in Hamilton. Ms. Michael advised Ohio Valley Goodwill Industries collection resulted in $35,000 for Goodwill to support its ongoing mission of putting veterans and people with disabilities to work in the Cincinnati area. Ms. Michael noted the Oxford Community Choice Pantry received 3,908 pounds of food for clients here in the Talawanda School District. Ms. Michael thanked all of those who donated items and thanked the many volunteers and organizations who made the event possible including the City of Oxford. Ms. Michael noted Mr. Perry informed the ShareFest Board that due to new priorities and initiatives the Community Development Department will need to drastically reduce the staff time dedicated to ShareFest in the future. Ms. Michael advised since ShareFest has relied on the City's strong technical support for many years it will be a major challenge for ShareFest next year and in the future.

Ms. Michael noted the ShareFest Board hoped they would continue to have the City's support for the success of ShareFest and advised they looked forward to seeing the event continue to grow in the future as it always has. Ms. Michael thanked City Council and staff for their strong support over the last 14 years.

Councilors thanked Ms. Michael for all of her efforts to make ShareFest so successful.

Mayor Rousmaniere inquired if Ms. Michael had any ideas about how to cover the work done by the Community Development Department. Ms. Michael advised ShareFest would need some technical support, web management and will need to find a new home site rather than using the Community Development Department's office. Ms. Michael noted dispatching would be needed throughout the event. Ms. Michael noted her hope to find technical support at the university or in the community rather than using student help so it can be sustained and ongoing and advised ShareFest may need financial assistance to accomplish that.

PUBLIC COMMENTS

Mr. Yossi Greenberg, 650 S. Campus Avenue, wished everyone a Happy Chanukah noting he was the Rabbi from the Chabad Jewish Center in Oxford. Rabbi Greenberg thanked Council and the City for the permit the 6th year in a row to place the 9 foot Menorah in the Uptown Park. Rabbi Greenberg noted he had received great feedback from the students who are here this year for the holiday and from the community at large. Rabbi Greenberg advised an event was held this evening in conjunction with the Oxford Community Choice Pantry at the Phi Delta Gates where a Menorah was built out of collected canned food donations. Rabbi Greenberg noted the students and President Crawford lit three candles this evening and advised the canned food would be donated to the food pantry. Rabbi Greenberg wished everyone holiday greetings.

Councilors thanked Rabbi Greenberg and wished him Happy Chanukah.

Ms. Amy Ruffin, thanked Council for the opportunity to speak this evening noting she would like to address two issues this evening. Ms. Ruffin noted she was not an expert in these issues and advised she was a concerned citizen. Ms. Ruffin noted she would like Council to consider if it would be appropriate to implement a citywide ban on bump stocks or a ban on all trigger activators. Ms. Ruffin advised a bump stock was an attachment that makes a semi-automatic weapon shoot nearly as fast as a fully automatic machine gun. Ms. Ruffin noted this accessory replaces the standard stock on a rifle with a piece of plastic or metal molded to the lower end of the gun. Ms. Ruffin advised trigger activator is defined as a device designed to accelerate the rate of fire of a fire arm to approximate an automatic weapon including bump stocks, trigger cranks, slide fire devices and other similar accessories. Ms. Ruffin referred to "Red Flag" laws and noted she would like Council to consider if it would be appropriate to pass a Resolution similar to the one passed in Cleveland, Ohio. Ms. Ruffin advised Cleveland City Council voted 17-0 for a Resolution calling on the Ohio General Assembly to adopt "Red Flag" laws. Ms. Ruffin noted "Red Flag" laws are a gun violence prevention law that permits police or family members to petition a state court to order the temporary removal of firearms from a person who may present a danger to others or to themselves. Ms. Ruffin advised a judge makes a determination to issue the order based on statements and actions made by the gun owner in question. Ms. Ruffin noted after a set time the guns are returned to the person from whom they were seized unless another court hearing extends the period of confiscation.

Ms. Ruffin advised if appropriate she would like to leave a copy of the City of Cincinnati Ordinance regarding trigger activators and a copy of the City of Cleveland Resolution regarding "Red Flag" laws for Council's review.

Mayor Rousmaniere thanked Ms. Ruffin and noted the Clerk of Council would make copies of the documents for Council's review.

CONSENT AGENDA

MINUTES

Minutes of the November 20, 2018 City Council Meeting (Mary Ann Eaton, Clerk of Council)

REPORT

Report regarding the November 15, 2018 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

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

RESOLUTIONS

RESOLUTION
OVERLAY DISTRICT

A Resolution No. 7030 of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a Neighborhood Conservation Overlay District for parcels on Chestnut Street and on Oak Street as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Sam Perry, Community Development Director)

Mr. Perry advised there were a total of 10 parcels contained in the proposed overlay which was near two other overlays on the south side of Chestnut Street. Mr. Perry noted owners of 9 of the 10 parcels have signed the petition initiated by resident Jim Michael. Mr. Perry advised Miami University is the owner of the unsigned parcel that contains one house. Mr. Perry noted this was the first step of the public process in creating the neighborhood conservation overlay district which requires City Council to formally accept the petition and forward it to the Planning Commission for review. Mr. Perry advised the overlay district would further limit the number of unrelated occupants in a rental home.

Mr. Jim Michael, 819 Oak Street, advised he was pleased to be in attendance for the first presentation of the petition for an overlay district. Mr. Michael noted he was joined by his neighbors Jeff Wanko and Joan Parks. Mr. Michael advised this was a small area to be covered by the proposed overlay district which was part of a larger neighborhood most of which is located on the south side of Chestnut Street.

Mr. Michael noted that neighborhood which he and his neighbors consider themselves a part of extends from Cedar Drive to Silvoor Drive and noted all of that area is now subject to existing overlay districts. Mr. Michael advised he and his neighbors were anxious to become a part of that by having their own overlay district.

Mr. Vincent Hand, 511 E. Chestnut Street, noted he lived in the overlay district that Mr. Michael referred to and affirmed that they are all part of a single neighborhood. Mr. Hand noted he and his neighbors agree with the necessity of incorporating the area in question into the existing overlay district.

Ms. Carol Michael, 409 E. Chestnut Street, advised she supported the proposed overlay district.

Mayor Rousmaniere inquired if the Miami University owned property would be exempt from the overlay district and. Mr. Perry advised not at this point.

Mr. Smith inquired if the multi parcel lots should be consolidated. Mr. Perry advised there was not a trigger for that unless there is a construction project. Mr. Perry noted construction projects usually required a setback from the side property line so consolidating the parcels should happen at that time.

Ms. Southard inquired what the legal ramifications could be with one property belonging to Miami University. Mr. McHugh advised if the Miami property was exempt the overlay would fall below the 10 parcel minimum and Council would have to accept the 9 parcels as a waiver.

Mr. Dana moved to adopt Resolution No. 7030. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
OVERLAY DISTRICT

A Resolution No. 7031 of Council accepting the petition as required by Oxford Codified Ordinance Section 1146.03 to establish a Neighborhood Conservation Overlay District for parcels located within Heritage Vineyards Subdivision as set forth on Exhibit "A" attached hereto and referring the petition to the Oxford Planning Commission for recommendations to City Council. (Sam Perry, Community Development Director)

Mr. Perry displayed a map of the subdivision as it is currently platted noting there were 50 lots total with 27 lots included in Phase I of the subdivision. Mr. Perry advised no homes have been built yet. Mr. Perry noted during the Planning Commission and Council's review of the subdivision the developer promised to make the subdivision a neighborhood overlay district to calm the fears of adjacent property owners that this would be a rental area. Mr. Perry advised Mr. Price was following up with that promise by submitting the overlay request.

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

Councilors felt Mr. Price was being a good neighbor.

Mr. Dana moved to adopt Resolution No. 7031. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
MILFORD TOWNSHIP
AGREEMENT

A Resolution No. 7032 authorizing the City Manager to enter into a new agreement with Milford Township, Butler County, Ohio and authorizing the City of Oxford to provide emergency medical services to the western portion of Milford Township pursuant to the agreement. (Doug Elliott, City Manager)

Mr. Elliott advised the contract between the City of Oxford and Milford Township for the provision of EMS services in the western portion of Milford Township will expire at the end of this year. Mr. Elliott noted the previous contract was for two years at $16,200 per year. Mr. Elliott advised he and Chief Detherage met with the Milford Township Trustees on Monday, November 19 to discuss a new contract. Mr. Elliott noted a tentative agreement was reached and advised under the proposed agreement, Milford Township will contribute $20,200 per year in years 2019 and 2020 for EMS services. Mr. Elliott noted in 2021, the annual rate will increase to $24,000. Mr. Elliott advised the proposed Resolution would authorize the City Manager to enter into a three year agreement with the Milford Township Trustees for the provision of EMS services in the western portion of Milford Township. Mr. Elliott recommended adoption of the proposed Resolution.

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

Mr. Dana referred to page 36 of Council's packet and asked for clarification regarding the eastern portion of Milford Township. Mr. Elliott advised the City of Oxford provides services to the western portion of Milford Township and noted the eastern portion is served by Seven Mile. Mr. Elliott advised the City of Oxford has received some calls for the eastern portion of Milford Township under mutual aid if Seven Mile does not respond. Mr. Elliott noted the Milford Township Trustees were addressing that issue with Seven Mile.

Mr. Prytherch asked Mr. Elliott to address the economics of this as part of the overall Fire and EMS Fund. Mr. Elliott advised the Fire and EMS service is supported by a 0.25% income tax levy. Mr. Elliott noted the City of Oxford contracts with Oxford Township and the western portion of Milford Township for EMS services only. Mr. Elliott advised the Townships paid very little for the aid when he first came to Oxford because Oxford was a volunteer operation at that time. Mr. Elliott noted as Oxford evolved into a full-time model it was decided that the townships should pay their fair share. Mr. Elliott discussed the formula used to determine the fair share and advised he felt this was fair remuneration for the services Oxford provides and the reciprocal arrangement Oxford has with the township.

Mr. Dana moved to adopt Resolution No. 7032. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
CONTRACT WITH
W.G. STANG

A Resolution No. 7033 accepting the bid and authorizing the City Manager to enter into a contract with W.G. Stang, LLC for the replacement of the culvert under Contreras Road east of Stone Creek Drive at a cost of $98,320.00 plus a contingency amount of ten percent (10%) of the contract price or $9,832.00 for a total cost not to exceed $108,152.00. (Mike Dreisbach, Service Director)

Mr. Smith recused himself from the discussion and the vote as a resident of Contreras Road.

Mr. Dreisbach advised Council authorized staff to compete for a grant from the Ohio Public Works Commission (OPWC) and noted the City was successful in obtaining an award for the culvert work. Mr. Dreisbach advised OPWC would pay up to 69% of the cost for the culvert replacement. Mr. Dreisbach noted the City advertised for bids for the project with 7 competing bids being received. Mr. Dreisbach advised W.G. Stang submitted the lowest bid and noted the City has worked with W.G. Stang on several projects and have been very pleased with their work. Mr. Dreisbach recommended that Council approve a contract with W.G. Stang and offered to answer any questions.

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

Mr. Dana noted he felt the grant award was an outstanding achievement on the part of the City.

Ms. Southard agreed with Mr. Dana.

Mr. Dreisbach noted the City's Engineering group has done well to write quality applications to compete with municipalities in Clermont County, Warren County and Clinton County.

Ms. Southard moved to adopt Resolution No. 7033. Mr. Dana seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
CURB, GUTTER AND
SIDEWALK ASSESSMENTS

An Ordnance Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payment Of Assessments. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in October Council approved a Resolution identifying exact costs for property owners where the City had to improve curb, gutter or sidewalk. Mr. Dreisbach noted the Clerk advertised the notice and the City received no written objections to the proposed costs.

Mr. Dreisbach advised this was the final piece of legislation for this construction season which would formally assess the City's costs to the property owners for the improvements that were performed. Mr. Dreisbach offered to answer any questions.

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

Mayor Rousmaniere referred to page 44 of Council's packet and noted the final costs were less than the estimated costs for most of the property owners.

ORDINANCE
FINAL PLAN APPROVAL

An Ordinance Accepting The Planning Commission's Recommendation For Final Plan Approval Of A Planned Development For One (1) Acre Of Land At 5990 Contreras Road Oxford, Ohio 45056 To Allow The Reconfiguration Of An Existing Structure For Residential And Office Uses With Conditions. (Sam Perry, Community Development Director)

Mr. Perry advised the Preliminary Plan application was submitted by Scott Webb and again for the Final Plan approval. Mr. Perry noted the Preliminary Plan application for this project was approved in 2015 and advised there had been several cases on the site over the past several years at 5990 Contreras Road owned by the McCarthy's. Mr. Perry noted it was unusual for a Planned Development in that there is no construction proposed although it was more than what would be allowed by the underlying zoning but less than what would be allowed for a rezoning. Mr. Perry advised the house was approximately 5,000 square feet and noted the owners were in the process of selling it. Mr. Perry advised the Preliminary Plan approved in 2015 would allow the house to be reconfigured and noted currently there were two dwelling units in the house. Mr. Perry advised the Preliminary Plan approved in 2015 would allow a third unit to be added as a professional office or as another dwelling unit due to the size of the house. Mr. Perry noted there would be no observed changes to the neighborhood and advised at this point the owners do not have a building permit in process to make any of the changes. Mr. Perry referred to pages 48-49 of Council's packet and noted several conditions were placed on the Preliminary Plan approval which the Planning Commission recommended be placed on the Final Plan approval. Mr. Perry referred to page 46 of Council's packet and advised additional conditions on the Final Plan approval included limiting the hours of operation for a professional office and limiting the number of customers visiting the professional office. Mr. Perry noted an extension was granted on the Preliminary Plan approval application as it would have expired in 2017 and advised rather than asking for another extension the owners have asked to finalize the plan. Mr. Perry reviewed some of the conditions as outlined on pages 48-49 of Council's packet and offered to answer any questions.

Mr. Prytherch advised a decision standard was that the Final Plan be substantially in conformance with the Preliminary Plan and inquired if there was enough detail provided to approve the Final Plan. Mr. Perry advised yes, noting he and the Planning Commission felt there was enough detail.

Mr. Scott Webb, Applicant, advised the property in question was one of Oxford's oldest homes being built in 1896 and noted the McCarthy's were only the third owners in nearly 120 years. Mr. Webb advised originally the house sat on 13 acres just outside of the City limits.

Mr. Webb noted the McCarthy's have owned the property for quite some time and have maintained, preserved and continuously improved the property. Mr. Webb advised the McCarthy's requested and received a Historic Marker for the home. Mr. Webb noted the intention of this proposal is to find an adaptive reuse for the building and to create as many opportunities as possible for the building to remain and continue to be maintained. Mr. Webb advised the neighborhood around the property in question has changed significantly, noting where this house was once a grand estate on 13 acres there is now 3 apartment buildings across the street on one side and single family dwellings on the other side. Mr. Webb advised a number of attempts have been brought to the Planning Commission and to City Council for alternative uses of the property. Mr. Webb noted the property was a non-conforming use because it currently has 2 dwelling units in a R1 District. Mr. Webb advised the 2nd dwelling unit was a one room apartment over an attached garage leaving the remaining 5,000 square feet of the main house as a single use. Mr. Webb noted an attempt was made to rezone the property to allow the main portion of the house to be split into three units which was unsuccessful. Mr. Webb advised after a number of years and discussion with staff it was decided to look at the Planned Development approach which is intended to permit and encourage creative and flexible development that is not permitted by right. Mr. Webb noted he and his clients would like to potentially have a maximum of three dwelling units or two dwelling units and one professional office. Mr. Webb advised the Planning Commission had a lot to say about the limits of what Professional Office could mean and what type of uses could be in this location. Mr. Webb noted by creating a Planned Development in this location it is very specific as to what can go there and how the space can be divided. Mr. Webb advised he and his clients want to set in stone the use of the house as it is currently and give them and the potential new owners the opportunity to divide it one more time for a professional office or another dwelling unit. Mr. Webb advised a Planned Development requires a minimum of one acre of property and noted his clients paid a professional surveyor to ensure the property in question was absolutely one acre. Mr. Webb noted the existing building height is compliant with a Planned Development and with the underlying zoning district. Mr. Webb advised the proposed Planned Development meets the setback, open space and parking requirements. Mr. Webb addressed the conditions placed on the Preliminary Plan approval as shown on pages 48-49 of Council's packet. Mr. Webb advised if the house is never divided, rented or sold in two years the Planned Development approval would expire. Mr. Webb noted any changes to an approved Final Planned Development would need to go through the Planning Commission and City Council as an Amended Planned Development. Mr. Webb advised he and his clients would appreciate Council's consideration of the proposed Final Planned Development application.

Ms. Kathleen Zien, Joseph Drive, placed a 12 pound bag of documents on the floor noting it represents every note and information based on this property that she has followed for 9 years this month. Ms. Zien advised the Planning Commission was told this property qualifies for PUD status because the lot is all of 4 square feet over the minimum one acre requirement. Ms. Zien noted that little can change a neighborhood forever. Ms. Zien advised she felt Council should still question the acreage since neither the County Auditor nor the realtor's offices shows this address an acre. Ms. Zien noted since November's Planning Commission meeting she checked the Butler County Auditor's Office plat records submitted to the County Engineer for this address and it shows the property broken into two long rectangles, two different sizes, each with its own square footage with a straight north/south line not dividing it in half from Contreras Road to the back yard of 107 Marti Court. Ms. Zien inquired if this was considered two lots or not since it appears divided as two distinct sections on the County Engineer's map.

Ms. Zien advised a realtor will want the buyer to think they are getting a bigger lot and noted the property owner would not want the county to know. Ms. Zien noted property taxes are based on combined building and land value and the more you have the higher your taxes. Ms. Zien advised if the county has been assessing the McCarthy's for less than the acre they claim it is they've been under paying Butler County for 17 years. Ms. Zien noted she told the Planning Commission there was a for sale sign this summer on part of the lot west of the driveway separate from the for sale sign on the house. Ms. Zien inquired if the sign was removed because the side lot was sold or if the owners changed their mind in selling off part of the property. Ms. Zien noted while the lot was for sale this summer a new sanitary sewer line was installed on the west side of the driveway and inquired if it could be for potential new construction on the lot. Ms. Zien reiterated that according the County Auditor's plat the property does not qualify as one acre and therefore does not qualify for PUD privilege. Ms. Zien advised it was the purview and responsibility of Council particularly at first reading to ask all questions and to pursue questions with the owner not the agent about the lot portion up for sale. Ms. Zien referred to condition b. on page 46 of Council's packet and advised she did not feel a professional office could be successful given the limitations.

Mayor Rousmaniere inquired where professional businesses were allowed in the City. Mr. Perry advised professional offices were allowed in the GB, Uptown and RO Districts.

Mr. Prytherch noted it was important to recognize with a Final Planned Development application that the primary decision making standard is conformance with the Preliminary Planned Development approval. Mr. Prytherch advised the preliminary stage was the decision making stage where all the details are hashed out. Mr. Prytherch noted if the applicant comes forward with a final plan that is substantially in conformance with the preliminary plan it was not like re-litigating everything.

Mr. Dana inquired what substantial conformance means and what it does not mean. Mr. Prytherch advised as long as what is proposed for the final is what was approved for the preliminary the applicant is fulfilling their part of the deal.

Mr. Perry advised the only difference from 2015 to now is that no one has decided whether there is going to be a doctor's office, dentist's office, chiropractor's office etc., or if there is going to be another dwelling unit.

Mayor Rousmaniere inquired if the property owners owned the entire lot and Mr. Perry advised yes, and added it was only one lot. Mr. McHugh advised the size of the lot and the ownership can be verified prior to the next meeting.

Mr. Ellerbe advised the underlying zoning has not changed and noted he felt the Final Plan does not look like it has changed appreciatively from the Preliminary Plan. Mr. Ellerbe advised the changes that were made specified what the Planning Commission recommended.

Mayor Rousmaniere advised Council was not going back to the original 13 Decision Standards and noted they should concentrate on the three Additional Decision Standards as shown on page 53 of Council's packet.

Mr. McHugh advised Oxford Codified Ordinance Section 1145.06 c was the critical one to look at.

Mayor Rousmaniere noted Council could go back to the original 13 Decision Standards if they wanted to reopen the matter. Mr. McHugh warned Council to be cautious about doing that.

Mr. Prytherch advised he was on the Planning Commission when the Preliminary Plan was approved and noted the rationale at the time was that this is a very large property that is difficult to own and maintain as a single family residence. Mr. Prytherch advised the owners were exploring different ways to use the property noting when rezoning was on the table the Planning Commission and Council did not know what the final outcome would be and the rezoning request failed. Mr. Prytherch advised the Planned Development approach was a way of understanding what was being proposed and attaching conditions to the approval. Mr. Prytherch noted at the time the Planning Commission felt this was a way to preserve the property for uses that were economically realistic for it.

Mayor Rousmaniere advised the Planning Commission on November 13, 2018 voted 6-0-1 to approve the Final Plan. Mayor Rousmaniere noted for the second reading of the proposed Ordinance she would like Council to consider the 3 additional standards.

Mr. Prytherch advised currently the property in question was listed on Airbnb as a Short Term Rental which was not permissible under the City's existing code. Mr. Prytherch noted he was trying to connect what is being approved in the Planned Development which is three units including an efficiency and the idea of its use as a short term rental.

Mayor Rousmaniere advised the City's Short Term Rental policy is developing and Council will discuss it at the next meeting and vote on it at a later date.

Mr. Pete McCarthy, advised he currently has a duplex permit for the house allowing 4 occupants in the main house and 1 occupant in the apartment. Mr. McCarthy noted under those terms they were allowed to have 5 un-related people on the premises and under those terms they were using it as a short term rental. Mr. McCarthy advised the Planning Commission and Council had been working on the short term rental policy for three years and noted the Planning Commission made a recommendation to Council in September of 2018.

Ms. Southard noted one of the goals of this project has been to preserve the historic house and inquired if that was still part of the owner's goal and Mr. McCarthy advised yes.

Ms. Raghu inquired if the applicant would address the issues raised by Ms. Zien.

Mr. Webb advised the for sale sign on the property did not mean the property has been divided noting it was never intended to be divided. Mr. Webb advised a registered surveyor has surveyed the property at one acre noting regardless of the variety of information on the county website there is really only one survey which will become part of the county record. Mr. Webb advised new electric poles were erected on Contreras Road and during that process the water line that fed the current house was broken. Mr. Webb noted at Duke Energy's expense the water line was replaced. Mr. McCarthy advised it was a sewer line and noted while the street was opened he had an additional sewer line installed for the potential new owner.

Mr. Webb reiterated that if the Planned Development is not executed within two years the approval is void. Mr. Webb noted the property was a very large R1 lot in a R1 District and advised it was large enough to be divided into two lots. Mr. Webb noted if the Planned Development is never executed that opportunity always remains.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3449. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2018. (Joe Newlin, Finance Director)

Mr. Newlin addressed the items in the last supplemental budget for 2018 as outlined on pages 86-87 of Council's packet and offered to answer any questions.

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

ANNOUNCEMENTS

Mr. Elliott discussed the Butler County 911 Planning Committee on which he serves noting the 911 Planning Committee is responsible for maintaining and updating the Countywide 911 Plan. Mr. Elliott advised the Countywide 911 Plan address the Countywide 911 system and use in Butler County. Mr. Elliott noted the Committee is also responsible for appointing members to the 911 Technical Advisory Committee. Mr. Elliott advised since 2016 he has pushed the issue of fair and equitable funding for the county consolidated dispatch operation and noted the Butler County Sheriff's Office dispatches for the cities of Hamilton and Oxford under an agreement by which both entities pay a certain amount for services provided. Mr. Elliott advised the Butler County Sheriff's Office also dispatches for 11 of the 13 townships in Butler County and all six incorporated villages with a population totaling 109,076 or 29.6% of the 2010 county population. Mr. Elliott noted it was his understanding that none of those entities (with the exception maybe of Liberty Township) are charged separately for the dispatch services provided. Mr. Elliott advised the services are provided through the general property taxes that the county collects and which all county property owners pay including the residents of Oxford and Hamilton. Mr. Elliott noted the Butler County Sherriff's Office is evaluating the call volume as it relates to Fairfield Township which pays nothing for the dispatch services received. Mr. Elliott advised Fairfield Township represented 5.5% of total calls in 2017 compared to 6.9% for the City of Oxford. Mr. Elliott noted the City of Oxford will pay the BCSO $377,648 in 2018.

Mr. Elliott updated Council and the public on the recent structure fire at 12 S. Beech Street noting the owners have been notified they must secure the site and demolish it within 30 days.

Mr. Wooddell advised the Holiday Festival was very successful on Saturday and thanked all of the organizations that helped make it happen including Enjoy Oxford, the Chamber of Commerce, Miami University, the Oxford Community Arts Center, the City's Service Department, Police and Fire Departments and Mayor Rousmaniere.

Mr. Kyger thanked Council for providing City staff with a good and safe working environment in the new Municipal Building.

Mr. Kyger advised the Holiday Walk on Friday evening was also a great event with a tree decorating contest for charity, business walk and fire pits between the Uptown Parks.

Mr. Kyger noted Enjoy Oxford along with the Public Arts Commission of Oxford have put up new seasonal murals in storefronts.

Mr. Kyger advised included in Council's Friday Packet was a letter from the Housing Advisory Commission. Mr. Kyger noted the Housing Advisory Commission would like to volunteer toward creating a master plan for the Western Knolls property. Mr. Kyger advised the Housing Advisory Commission worked hard on housing issues noting they were the author of the Residential Overlay District language. Mr. Kyger noted the Housing Advisory Commission was currently working on incentive development and were very interested in creating work force housing and over 55 housing. Mr. Kyger advised the HAC recognizes there is a lot going on in the City right now and they want Council to know when this issue moves forward they are willing to assist with the master plan of the site.

Mr. Perry advised at 2:30 tomorrow at the Lane Library an open house will take place on a draft code that the HAPC has been working on. Mr. Perry noted this is a follow-up to the inventory that was adopted earlier this year. Mr. Perry advised another open house will take place at the Courthouse at 6:30 p.m. Mr. Perry noted on Dec 18 at 1:00 p.m. at the Oxford Community Arts Center a follow up session would take place on the Design Charrette that was held in November.

Mr. Prytherch commended the Fire, Police and Service Departments for their assistance with the structure fire Uptown noting it was an intense blaze for a small structure.

Mr. Prytherch requested that the Planning Commission and the Environmental Commission meet in early 2019 on the issue of the City making a climate commitment and noted the Environmental Commission has been working on what it would mean for Oxford to make a climate commitment. Mr. Prytherch advised the Mayor has been approached by citizens about this issue and the Environmental Commission was tasked with finding out what that would mean. Mr. Prytherch advised the Environmental Commission has been reporting on this through their minutes. Mr. Prytherch noted students from Miami's Institute for the Environment and Sustainability have done a thorough report on what it means for cities to sign to this commitment and they were looking to proceed with a Green House Gas Inventory. Mr. Prytherch advised he would like to hear from them as to where they are currently so Council can set a time to consider whether the City should do this or not. Mr. Prytherch inquired if something like this was of enough interest to meet with the Environmental Commission to hear where things are right now. Mr. Prytherch noted the Environmental Commission was investing time on this project and he felt it would be nice for them to know and for staff to know whether this was a priority of Council's.

Mr. Dana advised the key question as to whether Oxford wants to see the Institute for the Environment and Sustainability professional services final report and if they want to access the feasibility of joining the Global Covenant of Mayors for Climate and Energy and explore alternative options for the City of Oxford.

Mr. Dana noted the title of the report poses the path Oxford might follow "Climate Change Mitigation and Adaptation Strategies for the City of Oxford". Mr. Dana advised staff should be aware that the study outlines free downloadable resources to provide a step by step guidance for Oxford.

Mr. Prytherch noted among the many priorities Council discussed in January was something related to sustainability and climate.

Mayor Rousmaniere advised the Institute for Environment and Sustainability student's report came out in May of 2018 which she has read. Mayor Rousmaniere noted they make specific recommendations about what the City can do. Mayor Rousmaniere noted Councilor Prytherch suggested that Council figure out to what extent they want to push this issue forward. Mayor Rousmaniere advised the subject can be discussed at Council's retreat on February 1, 2019. Mayor Rousmaniere noted the report should be distributed to Councilors first and placed on the Retreat Agenda.

Mr. Prytherch advised he would like to hear where the Environmental Commission is on the issue and what their plans are. Mr. Prytherch noted he felt it could be discussed at a Work Session or at the retreat.

Mayor Rousmaniere advised the only Council meeting in January would be January 15 since the first meeting falls on New Year's Day.

Ms. Raghu noted she had family in town this weekend that live in San Francisco who enjoyed the Holiday Festival so much so they are interested in moving to Oxford.

Ms. Raghu thanked Amy Ruffin for speaking to Council this evening noting Ms. Ruffin follows City Council meetings very closely. Ms. Raghu referred to the "Red Flag" laws and advised she knew a lot of good people who owned guns that would be supportive of this initiative. Ms. Raghu referred to mass shootings at nightclubs and concerts noting the vast majority of mass shootings (4 or more people) are of women and children. Ms. Raghu advised it has been shown in cities that have red flag laws that the lives of women and children have been saved in situations like domestic violence. Ms. Raghu advised she felt this was something Council should take into consideration.

Mayor Rousmaniere advised the Clerk will forward the documents from Amy Ruffin to Council.

Mr. McHugh advised the Resolution adopted by the City of Cleveland was asking the Ohio legislature to enact the Red Flag law.

Mr. Ellerbe thanked everyone involved for the Holiday Festival.

With the arrival of inclement weather Mr. Ellerbe encouraged citizens of Oxford to take a look at their tires noting all wheel drive does stop a vehicle in the snow, the tires do. Mr. Ellerbe also encouraged everyone to give drivers extra space and to take care of themselves and each other.

Mr. Dana advised he joined Mr. Prytherch in his climate effort and will work hard with him.

Mr. Smith referred to the recent structure fire and reminded everyone that Oxford's first responders respond with that ferocity 365 days per year. Mr. Smith thanked the first responders for all they do.

Mr. Smith encouraged everyone to watch their space heaters, extension cords, and to keep live Christmas trees watered to finish out the year without another structure fire.

Ms. Southard noted we have heard this evening a number of examples of cooperation among various groups such as ShareFest where so many people got involved. Ms. Southard advised she felt that is what makes a community strong. Ms. Southard noted everyone came out for the Holiday Fest which was great. Ms. Southard referred to the window murals and advised that was a wonderful initiative by Jessica Greene of Enjoy Oxford. Ms. Southard noted PACO (Public Arts Commission of Oxford) was very involved in encouraging public art and encouraging people to come forward with ideas to open the avenues for discussion about public art. Ms. Southard advised PACO was involved in helping choose the window murals and helping select the artists who would be engaged. Ms. Southard noted people from all parts of the community participated in the initiative. Ms. Southard advised the murals not only beautify the Uptown by filling the windows with art but also in some ways draws attention to the empty storefronts which people ask about.

Mayor Rousmaniere advised at the next meeting on December 18 Council will have a draft Short Term Rental policy for discussion only and it will come back for the January meeting.

Mr. Dana moved to adjourn at 9:34 p.m. Mr. Smith seconded. The motion passed 7-0-0.