

A Regular meeting of the Oxford City Council was called to order by Mayor Kevin McKeehan on Tuesday, January 7, 2014 at 7:15 p.m. Those members present were Bob Blackburn, Richard Keebler, Kate Rousmaniere, Mike Smith and Steve Snyder. Edna Southard arrived at 7:26 p.m.

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; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22 (G) (4) and (G) (3) for the purpose of discussing collective bargaining strategies and pending litigation. Mr. Snyder seconded. The motion passed by the following roll call:

AYE: Mr. Keebler, Ms. Rousmaniere, Mr. Smith, Mr. Snyder, Mr. Blackburn,
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

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

PLEDGE OF ALLEGIANCE

Mayor McKeehan requested the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC PARTICIPATION

PROCLAMATION

'LITTLE FREE LIBRARY DAY'

Mayor McKeehan read the Proclamation and presented it to Ms. Amy Macechko.

Ms. Amy Macechko, thanked Mayor McKeehan and members of Council for the Proclamation and noted she was in attendance with several members of the Oxford and surrounding area Little Free Library team.

Ms. Macechko advised the team was grateful that the City and surrounding community took the lead in the Little Free Library initiative that would kick off throughout Butler County in the coming months. Ms. Macechko noted the Little Free Library project made a difference in strengthening communities and building assets for young people and families and the team was excited to see the program grow. Ms. Macechko advised the team was very appreciative of their partners for embracing the project and they were thankful for Council's support.

Mayor McKeegan advised Vice Mayor Rousmaniere would attend the kick off event on Thursday at the Family Resource Center and speak on behalf of the City. Mayor McKeegan noted he visited the Little Free Libraries at the Family Resource Center and at the TRI building. Mayor McKeegan thanked Ms. Macechko and her team for their efforts

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the December 11, 2013 City Council Special Meeting. (Mary Ann Eaton, Clerk of Council)

Minutes of the December 17, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the December 12, 2013 Joint TRI-Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)

Report regarding the December 18, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

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

RESOLUTIONS

RESOLUTION

RESIDENTIAL

PERMITTED PARKING

A Resolution No. 4804 establishing S. Poplar Street from Linden Street to Bern Street and the north side of Bern Street from S. Campus Avenue to S. Poplar Street as Residential Permitted Parking areas twenty-four (24) hours a day, seven (7) days a week. (Bob Holzworth, Police Chief)

Chief Holzworth advised a petition to establish a Residential Permitted Parking (RPP) area was submitted on October 11, 2013 and as required, surveys were conducted on October 22, 23 and 24 which supported the request for a RPP zone. Chief Holzworth advised notices for the Public Hearing were published in the Oxford Press and the Hamilton Journal and the hearing was held on December 3, 2013. Chief Holzworth noted one person attended the Public Hearing and voiced a concern with the timing of the petition but there were no objections to the request itself. Chief Holzworth advised he brought the matter before Council with 100% support and he would be glad to answer any questions.

Mr. Snyder inquired what the transition period would be for establishing the RPP area and Chief Holzworth advised 30 days or less. Mr. Snyder noted for the public's benefit that residents would come to the City Building to pick-up their permits which Chief Holzworth confirmed and noted there were 4 spots on Bern Street and 8 spots on S. Poplar Street. Chief Holzworth noted this would not guarantee someone a parking space but it would eliminate non-residents of Bern Street or S. Poplar from vying for those spaces. Chief Holzworth advised the RPP program had proven itself worthy for more than a decade and the cost for residents was minimal for those who wished to participate.

Ms. Rousmaniere referred to the Public Hearing and inquired if the citizen's concern was that students were on break while the transition was taking place. Chief Holzworth advised the gentleman felt it would be better for the change to occur in the middle of the year so students moving in for the subsequent year were aware it was one of the conditions for living there. Chief Holzworth noted he felt it was a non-issue but wanted to bring it to Council's attention.

Mr. Blackburn noted the proposed RPP area would curtail people visiting the Rec Center and the Goggin Ice Center from parking there and using the on street parking spaces needed by the residents.

Mr. Keebler moved to adopt Resolution No. 4804. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION **ACCEPTING ANNEXATION**

A Resolution No. 4805 accepting the annexation to the City of Oxford, Ohio of certain territory proposed to be annexed to the City of Oxford, Ohio pursuant to a petition filed with the Board of County Commissioners of Butler County, Ohio by Douglas R. Elliott, Jr., Agent for petitioners, as provided by Ohio Revised Code Section 709.023. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed Resolution and the next two dealt with an annexation petition filed with the Butler County Commissioners last week. Mr. Elliott noted last spring the City was approached by Coe Potter and Jim Robinson representing a bank that owned a parcel of land on U.S. 27 N. and wanted to annex it into the City to obtain City water and sewer services. Mr. Elliott advised the Koenig Equipment and Gillman's Home Center parcels were also included in the annexation petition as well as some road right-of-ways. Mr. Elliott noted that Mr. Kyger would show various slides of the parcels proposed for annexation.

Mr. Kyger referred to the annexation plat on page 43 of the agenda and noted this annexation had been in process for a long time and a lot of parcels were involved. Mr. Kyger showed various slides of the area to be annexed as he discussed that Merion Realty inquired about annexing their parcel and City services extended beyond their parcel so it made sense to annex it. Mr. Kyger noted there were property owners in the area who had previously signed agreements to annex into the City. Mr. Kyger advised Koenig Equipment signed an agreement in 1998 when the City provided them water and sewer services and Gilman's Home Center signed an agreement in 2005. Mr. Kyger noted in 1967 property was annexed into the City which became Square D but the road right-of-way was not annexed. Mr. Kyger advised the City contacted all property owners whose property abutted Ringwood Road to obtain their signatures to annex their road right-of-way and in the end the annexation petition consisted of 9 parcels with 8 property owners. Mr. Elliott noted a Road Maintenance Agreement was entered into with Oxford Township for a parcel on Todd Road where the road right-of-way was still half in the City and half in the Township. Mr. Elliott advised the City would maintain both portions of that roadway.

Mr. Coe Potter, Real Estate Broker, advised he represented the petitioner who acquired the property through foreclosure and they contacted him to sell the property. Mr. Potter noted the property was zoned B3 in the county and he would not be able to sell it without it having utilities. Mr. Potter advised he approached Mr. Kyger and Mr. Elliott who felt it was appropriate to annex the parcel and they wanted to make it a larger annexation so Mr. Elliott and Mr. Kyger spear-headed the process. Mr. Potter noted there were no potential uses for the parcel at the present time but since it was zoned business it needed the amenities.

Ms. Rousmaniere inquired what B3 county zoning was and Mr. Potter advised it was intensive business zoning. Mr. Kyger noted it was like the City's GB zoning.

Mr. Snyder moved to adopt Resolution No. 4805. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION

STATEMENT OF SERVICES

A Resolution No. 4806 adopting a statement indicating the services the City of Oxford, Ohio will provide to the territory proposed to be annexed to the City of Oxford, Ohio pursuant to a petition filed with the Board of County Commissioners of Butler County, Ohio by Douglas R. Elliott, Jr., Agent for petitioners, as provided by Ohio Revised Code Section 709.023. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed Resolution stated the services the City provided to existing property within the City limits and the petitioner would receive the same services. Mr. McHugh noted the proposed Resolution was a statutory requirement of the Ohio Revised Code.

Mr. Snyder moved to adopt Resolution No. 4806. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
ZONING BUFFERS

A Resolution No. 4807 regarding zoning buffers in a proposed annexation of property containing 33.550 acres from Oxford Township, Butler County, Ohio pursuant to a requirement of Section 709.023 (C) of the Ohio Revised Code. (Doug Elliott, City Manager)

Mr. Elliott advised the proposed Resolution was required under the Expedited Type Two Annexation statute of the Ohio Revised Code. Mr. McHugh noted it was highly unlikely that buffers would be required in this situation since everything around the subject parcel was zoned for business uses. Mr. McHugh explained that if the City zoned something heavy industrial and it was next to a residential area, a significant buffer between the two uses would be required.

Mr. Snyder inquired what the next step of the annexation process was. Mr. Elliott advised the County Commissioners would approve the annexation if it met the seven conditions as listed in Section 709.023 of the Ohio Revised Code and then the City would adopt a final Ordinance accepting the annexation. Mr. McHugh advised the Clerk of the Board of County Commissioners would deliver to the City Clerk the transcript of proceedings and the Resolution from the County Commissioners granting the annexation request. Mr. McHugh noted those documents were required to lay before the City Clerk for a period of 60 days and on the 61st day the City would have a 120 day period to adopt final legislation accepting the annexation otherwise it would become void. Mr. Snyder inquired if the final legislation would designate the zoning and Mr. McHugh advised no. Mr. Elliott advised once the use of the parcel was determined, the City would work with the property owner or agent to designate the City zoning.

Mr. Snyder moved to adopt Resolution No. 4807. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCE
FIRST READING

None.

ORDINANCES
SECOND READING

ORDINANCE
NEW SECTION 1305.02

An Ordinance No. 3263 Repealing Oxford Codified Ordinance Section 1305.02 Entitled Additions, Insertions And Changes (To The Oxford Property Maintenance Code) And Adopting New Oxford Codified Ordinance 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)
(Tabled)

Mr. Blackburn moved to remove item 6. B.1. from the table. Mr. Keebler seconded. The motion passed 7-0-0.

Mr. Chen advised the proposed Ordinance was tabled at the last meeting due to concerns with the photoelectric smoke detector requirements. Mr. Chen thanked Mr. Keebler for making some very good recommendations to clarify the requirements for photoelectric smoke detectors and carbon monoxide detectors. Mr. Chen advised the requirements for carbon monoxide detectors would appear in Chapter 6 of the Property Maintenance Code and Chapter 7 governed fire safety requirements and was the appropriate location for smoke detector requirements. Mr. Chen noted there would be a three year transition period from the ionization-type interconnected detection systems' conversion to a photoelectric smoke detection system and during the three year period individual battery powered photoelectric smoke detectors were to be installed to supplement the existing ionization detection system.

Mr. Keebler advised the Property Maintenance Code applied to every property and although the proposed language was geared towards rental property it applied to every property in town. Mr. Keebler noted the City could not enforce responsibilities inside a persons home. Mr. Keebler advised the requirements for smoke detectors belonged in the Fire Safety Section of the code not in the rental section. Mr. Keebler noted the language was re-stated and it was more organized and easy to understand.

Mayor McKeehan thanked Mr. Keebler for his expertise in making the recommendations to clarify the language and make it more palatable by allowing three years to upgrade smoke detection systems. Mayor McKeehan noted he felt the new language would create a safer environment for Oxford residents.

Mr. Snyder moved to adopt Ordinance No. 3263. Mr. Keebler 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
AGREEMENT WITH THE
TALAWANDA SCHOOL DISTRICT

An Ordinance No. 3264 Authorizing The City Manager To Enter Into An Agreement With The Talawanda School District In A Form Substantially Similar To The Agreement Attached Hereto As Exhibit "a"; Granting The City Permanent Easements Across Three (3) Parcels Of Land Owned By The District In Exchange For The City Releasing Its Reversionary Rights To Two Parcels Totaling 9.37 Acres; And Contingent Upon The Sale Of The Former High School Property To Miami University. (Doug Elliott, City Manager)

Mr. Blackburn recused himself from the discussion and the vote.

Mr. Elliott recapped his comments from the first reading of the proposed Ordinance noting the City deeded two parcels of real property to the Talawanda School Board in 1955 with a provision that stated 'for so long as said property is used for school purposes'. Mr. Elliott noted the Talawanda School District wished to sell the former high school property and after several meetings with staff, Council members and school district officials it was decided the City would relinquish its interest in the two parcels in return for permanent road and utility easements located on three parcels of school district property. Mr. Elliott advised this was done for future planning purposes and there were no immediate plans for the use of the right-of-ways and easements.

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

Mr. Snyder moved to adopt Ordinance No. 3264. Ms. Southard seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Smith, Mr. Snyder, Ms. Southard, Mr. Keebler, Ms. Rousmaniere,
Mayor McKeehan (6)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott updated Council and the public regarding an annexation petition that would be filed in the next month or so which included the Bonham Road bridge and surrounding properties. Mr. Elliott advised the County Engineer approached staff in 2012 about their desire to replace the Bonham Road bridge in 2015 or 2016. Mr. Elliott noted the county wanted the property to be annexed and the speed limit lowered so the cost for the construction of a new bridge would be substantially less.

Mr. Coe Potter, noted his support of the annexation and advised the bridge had always been problematic. Mr. Potter inquired where the City would have the authority to lower the speed limit on Bonham Road. Mr. Elliott advised once the annexation plat was finalized he would be able to provide that information.

Ms. Rousmaniere noted on Tuesday, January 14th a meeting would take place in the Community Room at LCNB from 4:30 to 5:30 regarding alternative transportation plans. Ms. Rousmaniere advised presentations would be made on the Complete Streets Plan, the Shifting Gears Plan, the Safe Routes to School Plan and the Oxford Area Trails System. Ms. Rousmaniere noted the meeting included a public input session.

Ms. Rousmaniere advised a Martin Luther King, Jr. commemoration program would take place on Monday, January 20th at 11:00 a.m. at the Oxford Community Arts Center. Ms. Rousmaniere noted the co-sponsors of the program were the Center for American and World Cultures at Miami University, the Lane Public Library, Oxford Citizens for Peace and Justice, Oxford NAACP and the Talawanda School District.

Ms. Rousmaniere advised the program would feature a Keynote Speaker, the Bethel AME Church Chorus and creative art/literary entries by local students.

Mr. Blackburn noted the Service Department was doing a good job of keeping the streets clean and safe. Mr. Blackburn cautioned everyone to keep an eye on their water pipes so they didn't freeze due to the cold temperatures.

Mayor McKeehan encouraged everyone to keep an eye on their neighbors and pets due to the cold weather.

ADJOURN

Mr. Blackburn moved to adjourn at 8:35 p.m. Ms. Southard seconded. The motion passed 7-0-0.