

A Regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, March 15, 2016 at 7:30 p.m. Those members present were Bob Blackburn, Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, Acting Police Chief; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development 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.

PLEDGE OF ALLEGIANCE

Mayor Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Ellerbe moved to amend the agenda by adding Item 3.B. Presentation, Coalition for a Healthy Community and Request for Use of the Memorial Park. Mr. Dana seconded. The motion passed 7-0-0.

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

PUBLIC PARTICIPATION

PRESENTATION **COALITION FOR A** **HEALTHY COMMUNITY**

Ms. Amy Macechko, introduced herself as the Health and Wellness Coordinator, Talawanda School District, and Project Coordinator for the Coalition for a Healthy Community Oxford Area.

Ms. Sharon Klein, introduced herself as the Wellness Director, McCullough Hyde, and noted she sat on the Leadership Team for the Coalition for a Healthy Oxford.

Ms. Macechko and Ms. Klein provided background information on the Coalition for a Healthy Community noting their mission was to raise awareness, develop strategies, support initiatives and influence policies to make this a healthier and safer community for everyone who lives, works and plays in the Oxford area. Ms. Macechko and Ms. Klein updated Council and the public on the work the coalition and its work groups were doing in the community, the activities they had planned for this spring and upcoming projects. The coalition's mascot 'Rox' arrived and photos of him with Council members were taken on the dais.

Ms. Klein made a formal request to Council for use of the Memorial Park on Saturday mornings in June, July and August for the Yoga in the Park event noting it was very successful last year.

Mr. Dana moved to approve the request as presented. Ms. Southard seconded. The notion passed 7-0-0.

Mayor Rousmaniere and members of Council thanked Ms. Macechko, Ms. Klein and 'Rox' for the presentation.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

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

REPORTS

Report regarding the March 2, 2016 Civil Service Commission Meeting. (Candi Turpin, Human Resources Director)

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

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

RESOLUTIONS

RESOLUTION

SALE OF PROPERTY

A Resolution No. 4972 authorizing the City Manager to advertise and receive bids for the sale of property located at 18 Gardenia Drive; Oxford, Ohio Pursuant to Ohio Revised Code Section 721.03. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in May of 2014 the City worked with the developer of the Silverleaf Subdivision to get the surface layer of asphalt placed throughout the subdivision. Mr. Dreisbach noted the developer was not able to complete the work and the City agreed to perform the work in exchange for the stated lot. Mr. Dreisbach advised the lot was appraised between \$30,000 and \$35,000 and the City's expenses for paving were \$32,429.25. Mr. Dreisbach noted this was surplus property which the City had no use for and staff was asking Council's permission to sell the lot by sealed bid with a minimum reserve of \$32,500. Mr. Dreisbach advised the goal was to make the City whole with regard to the expenses incurred and should the lot yield more than \$32,500 the surplus funds would be remitted to the developer.

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

After a brief discussion Mr. Ellerbe noted he lived in the Silverleaf subdivision and Mr. McHugh advised him to recuse himself from voting on the Resolution.

Mayor Rousmaniere inquired if the buyer of the lot could build a house on it and Mr. Dreisbach advised it was a platted lot and ready for development.

Ms. Southard noted it was good to see the conclusion of this project.

Mr. McKeehan noted it was good to liquidate the surplus property as the City was not a real estate firm.

Mr. Smith moved to adopt Resolution No. 4972. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION
AGREEMENT WITH
PETER M. REISING

A Resolution No. 4973 authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2016 grant funded through the Ohio Department of Public Safety. (John Jones, Acting Police Chief)

Acting Chief Jones advised the Oxford Police Division had been a member of the Butler County OVI Task Force since its inception and this year Oxford was the lead agency. Acting Chief Jones noted Sergeant Reising was the OVI Coordinator and due to his retirement at the end of the month he needed to be retained as a contractual employee in order to maintain the grant.

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

Mayor Rousmaniere inquired if this was a part-time agreement. Acting Chief Jones advised Sgt. Reising would be reimbursed by the grant for approximately 40 hours per month.

Mr. McKeehan noted he felt it was good for Oxford to be involved in OVI Task Force work. Mr. McKeehan advised he had been stopped at a check point and it was an interesting process.

Mr. Dana moved to adopt Resolution No. 4973. Mr. Blackburn seconded. The motion passed 7-0-0.

RESOLUTION
PROPERTY AND
CASUALTY INSURANCE

A Resolution No. 4974 accepting the insurance bid of Insurance Specialist Group, Inc., DBA Love Insurance Partners for the City's property and casualty insurance coverage for 2016. (Joe Newlin, Finance Director)

Mr. Newlin advised the annual term for the City's property and casualty insurance was April 1st to March 31st and the new proposal would be effective April 1, 2016. Mr. Newlin noted the premium increased approximately 4.5% due to the renovations/addition at the Fire Station, the purchase of the former library building and the City replaced several fleet vehicles. Mr. Newlin advised he felt this was a minimal increase based on those factors. Mr. Newlin noted this was the 2nd year of a 3 year contract guarantee and he hoped to obtain a competitive bid for property and casualty insurance after the 3rd year.

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

Council agreed this was a minimal increase based on the purchases and renovations made during 2015.

Mr. Dana moved to adopt Resolution No. 4974. Mr. Smith seconded. The motion passed 7-0-0.

RESOLUTION
ACCEPTING GRANT FUNDS

A Resolution No. 4975 authorizing the City Manager to accept the Interact for Health grant in an amount not to exceed \$50,000.00 to complete Phase I of the Oxford Area Trails System. (Jung-Han Chen, Community Development Director)

Mr. Chen advised a couple of months ago Jessica Greene with the Visitors Bureau announced Interact for Health granted \$50,000 to the City. Mr. Chen noted the proposed Resolution was a formality to accept the grant and authorize the City Manager to enter into a grant agreement with Interact for Health.

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

Mr. Dana inquired if there was a possibility the amount of funds necessary didn't reach the \$50,000 mark and if so what happened. Mr. Chen noted potentially the funds would have to be returned. Mr. Chen advised he felt the City would be able to disperse all of the funds for the construction of Phase I of the recreational trail.

Mayor Rousmaniere noted the Coalition for a Healthy Community also received grant funding from Interact for Health.

Mr. Ellerbe moved to adopt Resolution No. 4975. Mr. Dana seconded. The motion passed 7-0-0.

ORDINANCE
SECOND READING

An Ordinance No. 3348 Approving A Conditional Use Permit To Allow An Indoor Target Shooting Range, Training Facility And Retail Space To Be Located At 6711 Ringwood Road, Oxford, Ohio With Conditions. (Jung Han Chen, Community Development Director)

Mr. Chen advised Council received a letter from Mr. McHugh addressing the legal parameters or requirements of conditional use permits.

Mr. Chen noted the Ordinance was amended from the first reading to include the reference to retail space as directed by Council. Mr. Chen advised he had nothing else new to report regarding the proposed Ordinance.

Mr. Scott Webb, Applicant, noted he was representing the owner Jeff Day who was also in attendance to answer any questions.

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

Ms. Southard noted Oxford Codified Ordinance Section 549.08 stated it was prohibited to discharge a firearm in the City limits unless it was lawfully authorized and advised the property in question was in the City limits. Ms. Southard noted the decision standards outlined and the letter from the Law Director indicated the City must authorize uses consistent with the existing code and she did not think this proposal was within the existing code. Ms. Southard advised she felt Council should not approve this petition.

Mayor Rousmaniere advised a Conditional Use was a way in which there could be an emendation to an Ordinance with certain justifications.

Mr. McHugh advised if Council authorized the conditional use application for the construction of a target range the police would not have the authority to stop someone from using what was allowed as a legal and lawful use in the City of Oxford. Mr. McHugh noted Section 549.08 stated 'unless otherwise authorized'. Mr. McHugh advised a request had been made to authorize a shooting range and if the conditional use was granted the use would be authorized.

Mr. Dana inquired in what manner has the zoning code lawfully authorized this request. Mr. McHugh advised if the conditional use application was approved by Council the target shooting range would be a legally authorized use.

Mr. Elliott advised hunting wasn't allowed in the City but Council authorized a Deer Management Program with bow and arrow. Mr. Elliott noted the City made an exception.

Mayor Rousmaniere inquired if the conditional use was the legal authorization to over-ride or adapt a regulation. Mr. Chen advised a conditional use was a vehicle which would allow a use that could have adverse impact on the neighborhood to be mitigated with certain mechanisms. Mr. Chen noted each zoning district had permitted uses and conditional uses and the conditional uses would ultimately come to Council for approval. Mr. Chen advised with Council approval the use was authorized.

Mr. Dana referred to page 55 of Council's packet and inquired what members of the community at large had shown encouragement for this project.

Mr. Jeff Day, advised he had talked to law enforcement personnel in Oxford and surrounding townships who had an interest in using the facility for training their officers. Mr. Day noted he talked to people within the City who thought it was a good idea and a good place for kids to learn to shoot safely. Mr. Day advised he talked to the Shooting Sports Foundation the NRA and Sherriff Jones who thought it was a good idea. Mr. Day advised he talked to City staff in Planning and Zoning and he had met with Mr. Kyger.

Mr. Blackburn advised he had talked with people who had a concealed carry license and they were excited to have a place to practice shooting.

Mr. Day advised teaching gun safety would be a top priority and he hoped to make a mark with students when it came to personal safety noting a gun was always a last resort. Mr. Day noted he and his staff would teach people to be aware of their surroundings and self defense classes would be given as well.

Mr. Ellerbe referred to the floor plan on page 56 of Council's packet inquired if the facility would face the train tracks and Mr. Day advised yes. Mr. Ellerbe inquired if the storefront would face Ringwood Drive and Mr. Day advised yes.

Ms. Southard inquired what safety measures would be in place to make sure someone didn't turn on other people. Mr. Day advised he had been a subcontractor at Point Blank and to his knowledge of the 7 facilities no one had ever shot anyone. Mr. Day noted the employees would be aware of what was going on and there would always be a Range Safety Officer on the range. Mr. Day advised a Range Safety Officer position was a certification process through the NRA.

Mr. Ellerbe noted it was his understanding each range was to have a Range Safety Officer and each facility had double glass doors to avoid the possibility of a stray bullet. Mr. Ellerbe advised he assumed there would be closed circuit televisions monitoring the store and Mr. Day advised that was correct.

Mr. McKeehan noted he welcomed the opportunity for additional educational resources for those who were interested in learning about self defense whether it was personal or with firearms and having a safe place to educate people was important. Mr. McKeehan advised he was brought up around guns with his father being the teacher. Mr. McKeehan noted he knew about gun safety and gun cleaning and the experience of having used a gun made people understand more what they do than those who have never touched one.

Mr. Ellerbe advised Miami University experienced an explosion of the international student population and a lot of the countries these students came from had nothing as far as firearm safety or firearm interaction with the population. Mr. Ellerbe noted many of those students may frequent this facility if approved and inquired what kind of services would be provided to individuals who might not have any training and possibly language barriers. Mr. Day advised he taught a basic handgun class to international students from U.C. and Xavier at Point Black and it was a 4 hour class, 3 hours in the classroom and 1 hour on the range. Mr. Day noted he had not experienced any language barriers and advised he would have an area to provide one on one teaching and instruction.

Mr. Smith advised he had posed this question a lot over the last 2 weeks and has had nothing but positive responses. Mr. Smith noted he had friends who were gun owners and wanted a place their children could be taught gun safety.

Ms. Southard advised she had shot a gun and had taken her sons to a shooting range so she knew what this was all about. Ms. Southard noted she didn't know how Council could say this was not detrimental to the public health, safety and welfare of the City or the neighborhood in which it is proposed if even one person gets hurt or killed.

Ms. Southard noted it would be in the City limits and she didn't see how it fit into Council's goals, comprehensive plan and into what Council wanted to accomplish in the City.

Mayor Rousmaniere advised the conditional use request was asking Council if they had sound arguments for over-riding Section 549.08 of the Oxford Codified Ordinances given the conditions placed on the approval. Mayor Rousmaniere noted a month ago Council approved a conditional use for a Nano Brewery and many people thought another establishment serving alcohol was dangerous to the town but Council approved it with conditions. Mayor Rousmaniere noted the code would not change but in this case Section 549.08 would be waived with approval of the conditional use. Mayor Rousmaniere inquired if Council had sound arguments for over-riding the code and asked for the roll call.

Mr. McKeehan moved to adopt Ordinance No. 3348. Mr. Ellerbe seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Dana, Mr. Ellerbe, Mr. McKeehan, Mr. Smith, Mr. Blackburn,
Mayor Rousmaniere (6)

NAY: Ms. Southard (1)

ABS: None (0)

ANNOUNCEMENTS

Mr. Elliott noted there had been a lot of changes in the Police Division, the appointment of new employees and some promotions of existing employees. Mr. Elliott announced Chief Holzworth was retiring at the end of the month. Mr. Elliott noted Chief Holzworth had served as Police Chief since February of 2012 and had done an outstanding job during his tenure. Mr. Elliott advised the City planned to recognize Chief Holzworth at a later date to honor his outstanding career and service to the Oxford Police Division. Mr. Elliott noted he was glad Chief Holzworth was in attendance this evening. Mr. Elliott announced for the public that he planned to promote Acting Chief John Jones to the position of Police Chief effective April 1, 2016. Mr. Elliott advised Acting Chief Jones had done an excellent job during Chief Holzworth's recent absence and he had worked closely with Acting Chief Jones on a number of important projects including the contract and implementation of Public Safety Dispatch services with the Butler County Sheriff's Office and the establishment of the Police Community Relations and Review Commission. Mr. Elliott noted Chief Holzworth had been involved with those projects as well. Mr. Elliott advised Acting Chief Jones was a proven Law Enforcement Supervisor and had a strong sense of community and he looked forward to his continued leadership as the next Police Chief for the City of Oxford. Mr. Elliott noted he and Chief Holzworth felt the future looked very bright for the Oxford Police Division.

Mr. Elliott advised he received a letter this week from Glenwood Energy which stated over the last 14 months the gas delivered to Glenwood Energy had an increased heating value and they were asking the City to consider a change in rates because of the increased BTU content which equated to consumers using less volume. Mr. Elliott noted this information was passed on the City's regulatory attorney to make a recommendation. Mr. Elliott advised more information would be forthcoming.

Acting Chief Jones thanked Mr. Elliott and Council for their kind comments. Acting Chief Jones noted the Police Department was gearing up for Green Beer Day on Thursday.

Mr. Dana noted he would like to speak with respect to the Planning Commission about the importance of honoring decisions by the Planning Commission which have been deliberated by the community which meant they were incorporated in the Comprehensive Plan. Mr. Dana advised the Planning Commission was concentrating on the location of housing geared for students which was the top priority of the commission and they hoped Council would join them in making this a priority. Mr. Dana noted the Planning Commission wanted to be proactive and not be caught off guard with another large housing project they might not like. Mr. Dana advised the number of students being admitted to Miami University was growing so there was a sense of urgency and the Planning Commission decided to look first at the mile square. Mr. Dana noted that meant no on SR 73 and no on US 27 N. Mr. Dana advised there were examples of how to be proactive and use incentives and disincentives such as the creation of the Neighborhood Conservation Overlay District. Mr. Dana noted the Planning Commission was considering a new district called the Neighborhood Business District which would blend appropriately with the neighborhood and help Oxford fulfill the goals of the Comprehensive Plan. Mr. Dana advised the proposed district was the result of many meetings of a subcommittee which included Rich Daniels, Dick Keebler, David Prytherch, Alan Kyger and Scott Webb.

Mayor Rousmaniere advised the Planning Commission had been thinking about proactive incentives/disincentives with regard to housing in the City and specifically in the mile square. Mayor Rousmaniere noted she and Mr. Chen attended a session at the International Town Gown Conference last spring regarding a university town that created an overlay district called 'College Town'. Mayor Rousmaniere advised an overlay district was created by the landlords in a high density student rental area and the City gave the landlords incentives for renovating the properties in ways to increase the property value for the landlords and renovations were regulated by the City to increase the attractiveness for the City. Mayor Rousmaniere noted the City created paths in the neighborhood and installed signage 'Welcome to College Town' and made it an attractive area for student housing. Mayor Rousmaniere advised the City and the landlords worked in coordination to create incentives for renovation and the City had a hand in what the renovations would look like. Mayor Rousmaniere noted those were the kinds proactive incentives the Planning Commission was talking about and focusing on the mile square. Mayor Rousmaniere advised more information would be forthcoming.

Mr. Ellerbe wished Acting Chief Jones good luck on Thursday for Green Beer Day.

Mr. Ellerbe noted he agreed with the comments made about the mile square. Mr. Ellerbe advised he felt Council should also look into areas where there had been no progress and that was the boundaries for Oxford. Mr. Ellerbe noted when entering Oxford from the different directions one couldn't really tell when they've reached Oxford other than the standard signs. Mr. Ellerbe advised he felt Council should look at a unified visage for entering or leaving Oxford.

Mr. Smith noted the weather looked fair for Thursday and encouraged everyone to use their best judgement and to be safe.

Ms. Southard note the Police Division did a wonderful job during Green Beer Day each year to keep so many people safe.

Ms. Southard advised she wanted to mention three events related to the cultural life in our community, noting the reason so many people stayed in Oxford was for the cultural life. Ms. Southard advised last Saturday the Oxford Community Arts Center held a fundraiser which was a tremendous success and a lot of people put a lot of energy into making it a beautiful event. Ms. Southard noted the Institute for Learning in Retirement at Miami University had a bulletin and program of courses for Spring semester and people were currently registering for them. Ms. Southard advised the courses began March 28th and lasted 5 weeks. Ms. Southard noted a course was being offered on local government and how the City operated and many of the people in the room this evening would be participating. Ms. Southard advised this was the 2nd in a series of 3 courses and during the 1st course people were introduced to Council and staff members who run the local government. Ms. Southard noted this year the course would deal with some of the issues the City faced and next year they hoped to deal with town/gown relations. Ms. Southard advised the Farmers Market which brought people Uptown on Saturday mornings would take place this Saturday from 10:00 a.m. until noon. Ms. Southard noted starting in May the market would take place every Saturday from 8:00 a.m. until noon.

Mr. Blackburn encouraged everyone to stay safe on Green Beer Day.

Mr. Blackburn thanked all candidates who ran for various offices in the election today whether republican or democrat noting it didn't matter. Mr. Blackburn advised it was nice that people took their time to do this and noted all Council members had been through the process. Mr. Blackburn advised people who took the initiative to run for office made the country, state and cities in America better.

ADJOURN

Mr. Dana moved to adjourn at 8:50 p.m. Mr. Smith seconded. The motion passed 7-0-0.