



September 11, 2009

TO: Council President
City Councilmembers
Council Appointees

FROM: Eric Norenberg

SUBJECT: City Manager's Update

Following are updates on various topics for your information. Please let me know if you have any questions. Thank you!

City Council

- Board, Commission and Committee Appreciation Night Scheduled: Please join your fellow City Councilmembers in scooping ice cream and sharing your appreciation for the many citizens who serve as volunteer members of our various boards, commissions and committees. The event will take place from **6 to 7 p.m.** at the **Oberlin Public Library meeting room** prior to the **October 5** City Council meeting. At 6:30, there will be time for remarks by the City Council President. Each board, commission and committee member will receive a recognition mug in appreciation for their service. Staff will coordinate invitations, ice cream and toppings, and the mugs. If you can assist in scooping, please arrive a few minutes early please. Thank you!

City Manager's Office

- News from ICMA Conference to be posted to City Manager's Blog: I plan to report on the ICMA conference to City Councilmembers, fellow City employees and the community during the ICMA conference via the City Manager's Blog. You can follow along at: <http://oberlincm.blogspot.com/> or <http://twitter.com/enorenb>.
- Census Bureau Jobs: At Tuesday's City Council meeting, I mentioned that the Census Bureau is hiring many positions to ensure a full count next year. More information is available at www.census2010.gov (click on jobs). Please share this information with others you know who might be job seeking.

Oberlin Police Department

- Follow-up on Concerns regarding Open Containers and Parties Last Weekend: On Wednesday morning, I met with Lieutenant Mike McCloskey regarding the concerns shared at the City Council meeting Tuesday night. The following information should help the City Council better understand the situation that evening:

- During the evening of Saturday, September 5 and into the morning of Sunday, September 6, officers were aware of approximately 10-15 parties happening in Oberlin. Several of the parties were attended by 50 or more persons. Two complaints were logged regarding noise and open containers (see attached). Due to the number of party goers and the fact that each complaint was first during the evening for that address, officers advised the host and the guests to quiet down and keep the alcohol within the building. Officers directed guests with alcohol on the right-of-way to empty the containers. The host of the party at 16 S. Main Street cleaned up the mess at that time. Early Sunday morning, as the 16 S. Main Street party was breaking up, there was again a complaint of noise, but the crowd quickly dispersed. Unfortunately, litter remained.
- As I mentioned the other evening, officers need to use discretion regarding enforcement in situations like these. It is important for officers to exercise enforcement action that is appropriate to the situation, and will ensure the safety of the public and of the officers. In some cases, it is best to make a warning and achieve cooperation and compliance, rather than risk confrontation and escalation. In this case, the directive was not a blanket, “don’t cite” instruction, rather officers were instructed to provide warnings and education, so as to ensure current and future compliance and to diffuse the situation. If after a warning, the host or party goers fails to comply, officers can and will issue citations for the violations.
- OPD shares the concerns of community and that of the City Council on this matter. It is clear that the late night activities of students and others in the downtown area have resulted in problems with open containers, public urination, loud noise and littering. Instructions have been issued to officers on the late shift to “take action to put an end to these incidents and behaviors.” However, this is not a zero tolerance policy. Officers are still expected to use their best judgment and discretion in this enforcement, while achieving the community’s goals.

To investigate the concern that there has been unequal treatment in addressing “open container” violations, I asked to review of OPD logs to identify other recent open container incidents and the details of each incident. The system does not track warnings, so the following statistics are based on actual citations. For the period of 2007, 2008 and year-to-date 2009, OPD reports there were 32 Adult Open Container Citations. Those citations break down as follows:

Residency		
Oberlin residents	5	(15.6%)
Non-residents	10	(31.2%)
Oberlin College Students	17	(53.2%)
Race		
Caucasian	29	(90.6%)
African American	3	(9.4%)

In follow-up to this matter and a recent theft in Oberlin College student housing, a message was sent from the Dean of Students and the City Manager to remind all off campus students 1. Of our expectations to be a good neighbor; 2. Of the laws and liabilities regarding alcohol; and 3. Tips regarding crime prevention.