

(d.) Motion to authorize the Law Director to proceed with court action against GG&J to recoup monies expended by the City related to the Wastewater Treatment Plant Improvement Project.

Motion to authorize the Law Director to proceed with court action against GG&J, to recoup monies expended by the City related to the Wastewater Treatment Plant Improvement Project, was moved by Broadwell, seconded by Soucy.

Roll Call: 7 Ayes 0 Nays Motion Carried

(e.) Motion to authorize the Law Director to retain the law firm of Walter and Haverfield LLP to assist with the court action against GG&J in accordance with the proposed Letter of Engagement dated February 11, 2010.

Motion to authorize the Law Director to retain the law firm of Walter and Haverfield LLP to assist with the court action against GG&J in accordance with the proposed Letter of Engagement dated February 11, 2010 moved by Burgess, seconded by Pilacky.

Roll Call: 7 Ayes 0 Nays Motion Carried

(f.) Discuss and consider setting March _____ 2010 as the date for the rescheduled City Council Orientation.

Motion to schedule a 45 minute work session related to Council Orientation with the leader of the session to be determined prior to the April 5, 2010 regularly scheduled meeting was moved by Soucy, seconded by Meadows.

Roll Call: 7 Ayes 0 Nays Motion Carried

Soucy further suggested that the Law Director be the first presenter at that time.

2. Any concerns that are not on the agenda may be brought to the attention of Council at this time.

Phyllis Litoff Jazz Center

Shirley R. Johnson, Hollywood Street called attention to the Planning Commission's decision to allow angled/diagonal parking on the College Street Downtown: presumably to accommodate the College's obligations because of the Jazz Center and the downtown merchant's needs for more customer parking.

She asked that an unbiased study be conducted to determine the City's parking needs and once done that policies be put in place to help regulate those identified needs: i.e., shorter parking hours –more half hour spaces and bigger fines.

Johnson felt that there were other spaces (currently unused) in the downtown area, better suited for parking than destroying Tappan Square. If not, the initial mistake had been to allow the Jazz Center to be built without the parking situation having been solved. She asked why would a City and College that prides itself on being green, environmental, energy conscious, etc., go into the business of tearing out green grass and down lovely trees.

Elizabeth Rumics, Hollywood Street read a prepared statement into the record she read:

In the matter of parking and the Jazz Studies building, the “original sin,” if you will, was the approval of a site plan for a building too large for its site and whose construction would mean a loss of 20 parking spaces. That approval was subject to compliance with a number of conditions one of which was that the College provides off-street parking improvements in various locations and angled parking improvements on West College Street, or “a suitable alternative.”

The College has finally proposed what seems an eminently suitable alternative – the Verizon parking lot. Inasmuch as that lot would provide 26 spaces on existing land requiring no major construction, the rejection by the Planning Commission in favor of the very disruptive, destructive, expensive West College Street plan with such obvious drawbacks, seems arbitrary to say the least.

The process has been largely “under the radar” with details and answers still not forthcoming. Questions raised include:

- Cost of making angled parking the length of West College Street north;
- Duration of construction. When it might occur?
- Safety: West College Street is narrower than East College and Main Streets on both of those wider streets, backing out is tricky or even hair raising;
- Depth of intrusion into the curb lawn;
- Actual number of spaces presumed to be gained: it has varied from an original 22 extra spaces, to 18, and now;

Looming over all this is that the Jazz Building needs a Certificate of Occupancy before it can be opened (or dedicated?). In the Planning Commission’s 2008 conditions for site plan approval is the requirement that the parking spaces in West College Street be developed prior to the issuance of a Certificate of Occupancy.

Surely it is within the Planning Commission’s considerable power to grant a variance (as it has already granted variances to the College), eliminating the West College Street angled parking condition; and reconsidering its rejection of the Verizon lot.

Tony Gaines, 428 Washington Circle said the Verizon parking lot was not necessarily a benefit to the Citizens of Oberlin, since it will be taken up by those who staff the Phyllis Litoff Building and the students. It is actually moving parking away from the merchants who do business downtown. Oberlin College is pushing its green initiative at this time; but how many hundred year old pine trees were torn down to build the Jazz studies project. The Planning Commission has proposed alternatives that could be done, like parking restrictions on the number of students who could bring vehicles to school and assigned parking spots for staff and students, but the College continues to seek additional parking. Is there a perfect solution, no there isn’t but the Commission and the College need to come up with a solution that will benefit everyone not just one entity.

Tony Mealy, Professor Street didn’t feel that the Planning Commission should consider ruining the integrity of Tappan Square. Under the ordinance, the developer (Oberlin College) is required to provide the adequate convenient parking space that they own or that they control. The College proposed 26 parking spaces on the Verizon Parking lot. It was odd that the Planning Commission would require that

the College cut into the square, when in fact that was not what the developer was required to do. The 26 parking spaces that could have been gained in the Verizon lot was a far superior plan.

President Sloane advised that parking was one of his campaign issues and he intended to address this in a very methodical manner. Further discussion will take place regarding this topic but they were waiting to see if the College would appeal the decision of the Planning Commission.

Law Director Severs provided an explanation of the appeals process:

The College has thirty days to appeal from the date of notification of the Planning Commission's decision, which they have just received this week. If they file an administrative appeal with the Common Pleas Court, and a proposal to settle comes forth, it will come back to City Council for approval.

Shirley R. Johnson asked if the College decided not to appeal the Planning Commission's decision could the project move forward without Council's approval. Severs advised that the project could not move forward without an excavation permit, which would have to be approved by Council since the excavation would take place in the public right – of – way. In addition, there were two other recourses that could take place: the Planning Commission could reconsider its decision or Council could take action. In the meantime even if the College wanted to excavate in Tappan Square the College is not going to take any action until after that 30 – day appeal period expires.

Bryan Burgess asked if the Planning Commission minutes relating to this topic were available to the public. Sloane advised that they were available for the public.

Charles Peterson asked if it would be possible to get some insight from the Sharon Soucy, who serves as liaison to the Commission.

Sharon Soucy remarked members of the Planning Commission worked very hard to come up with College motivation to solve this problem and it was safe to say that the Commission didn't feel they had the full cooperation of the College. She suggested there should have been a built - in parking solution to the building permit: that developed a two – story parking garage that would solve this problem, but the commission couldn't get the College to commit to this idea. The Planning Commission is very concerned about the 90 day opt-out clause associated with the parking at the Verizon location, which makes the City vulnerable to not having the parking issue solved. They are facing a serious problem and sustainability can be looked at any number of ways. One way it can be looked at is the sustainability of Oberlin's downtown merchants and many merchants and many citizens of this community came to a number of Planning Commission meetings and voiced their concerns. This has been a difficult process and hopefully an alternative can be found that will be suitable for all parties involved.

Code Revisions needed for Housing Demolition Practices

Tracy Haynes, 288 North Main Street voiced concerns about insufficient code regulations in place related to housing demolition practices. She felt that the recent City code needed to further address issues of safety, replacement of affordable housing units, potential change and use in the property, as well as the impact on land and neighborhood aesthetics.

3. Old Business

(A). Ordinance No. 10 - 03 AC CMS – An Ordinance Approving an Amendment to the City of Oberlin Zoning Code Related to Accessory Buildings in Residential Zoning Classifications. (3rd)

The Clerk read by number and title only.

Motion for passage on third reading moved by Broadwell, seconded by Soucy.

City Manager Norenberg reviewed the proposed ordinance.

In the past there has been some confusion on what is being proposed by this ordinance. A memo from Planning and Development Director, Gary Boyle was provided in Council's packet regarding whether or not the intent of the Planning Commission was to recommend that accessory buildings be placed in side yards. The recommendation of the Planning Commission was for rear yards only.

Gary Boyle provided additional background to Council.

The genesis of this proposal is that the Planning Commission has recognized that the four residential zoning classifications did not have policies either allowing accessory buildings or controlling their use in a manner that the Commission feels was appropriate. Clearly the commission wants to permit detached accessory buildings in residential districts, but by the same token it is important to have regulations that clearly establish how these kinds of uses may occur. There are a variety of reasons why set back distances are required from predictability, to how residential neighborhoods are developed, to dealing with the question of how accessory buildings impact the aesthetics of a residential district. The Planning Commission is of the opinion that accessory buildings should be in the rear yard of a dwelling unit. This will ensure that residential neighborhoods are developed in a predictable way by establishing location or site requirements for buildings. In addition these regulations also provided privacy between dwelling units, provide for light and air circulations, reduce the risk of fire spread, and it also provides some additional room in a side yard area for off street parking, which in many areas is tight.

The proposed ordinance also deals with detached garage units being placed on a property, absent a dwelling unit. This speaks to the issues of: neighborhood stability, aesthetics, and large structures being used for commercial purposes, which contradict the comprehensive plan to foster strong residential neighborhoods.

Tracey Hayne, Oberlin resident said she would support any ordinance that addressed accessory buildings being left on the lot independent of residential property being there. She stated a scenario where a home was torn down on Main Street but its accessory buildings still remained standing. In a January phone conversation with Law Director Severs, she was informed that the ordinance wasn't clear as to whether that would be allowed or not but certainly there was language in the existing ordinance that said accessory buildings needed to be in the rear lot but that potentially contiguous use — because the property is adjacent to where the person lives — might be argued. Haynes suggested that any ordinance for Council or on behalf of its commissions look at that potential: it wasn't uncommon for a person to buy a piece of land right next door to them and want to tear down a house and keep the storage or garages but she hoped that this ordinance would clearly monitor and regulate whether one would want to have a vacant lot with a garage left on it and somehow or another make that allowable because of the contiguous use.

David Ashenhurst, 260 Sumner Street said it was his understanding that Burgess's question from the previous discussion had to do with, a lot that was wider than it might be deep, with plenty of room beside

a side yard setback from your property line, that didn't encroach on the next lot in anyway. Sloane advised that the scenario just described was a logical situation for a variance.

Burgess advised that as long as a homeowner was able to appeal to a sense of fairness and could request a variance then he was fine with the proposed ordinance. Boyle advised that this could be reviewed on a case by case basis given that the Code can be opened to interpretation which was why they had an appeals board. The appeal board could review their request for a variance and grant it if need be. The Planning Commission wanted to make sure that they fostered neighborhoods that didn't look like they had been piece mailed together.

Roll Call: 7 Ayes 0 Nays Motion Carried
(3rd Reading – 30 days)

4. New Business

By consent of the body, item D was moved to the next order of business.

(D). Ordinance No. 10 - 14 AC CMS – An Ordinance Authorizing an Agreement Appointing American Municipal Power, Inc. as Municipality's Agent for the Purpose of Making Application to the Federal Energy Regulatory Commission (FERC) for a License to Construct and Operate a Hydroelectric Power Generating Facility and Declaring an Emergency. (1st)(E)

Meadows moved to have the ordinance read by number, title and substantive portions only, seconded by Soucy.

Roll Call: 7 Ayes 0 Nays Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Meadows, seconded by Soucy.

Following introductory remarks City Manager Norenberg turned the discussion over to OMLPS Director, Steve Dupee.

Dupee reviewed the proposed ordinance.

The proposed agreement between the City of Oberlin and American Municipal Power, Inc. will permit Oberlin to further assist its wholesale power provider with the furtherance of its renewable generation asset strategy. During the January board meeting, it was learned that the City of Orville owned a license to develop a project at the Pike Island Dam. For a variety of reasons Orville never developed that project and made a decision to surrender that license back to FERC. The AMP board authorized staff to pursue this license - to accomplish this AMP will need a municipal volunteer to serve as the applicant for the preliminary permit and licensing application. Oberlin was volunteered to support this effort subject to City Council's approval. This is similar to the license application that AMP is pursuing right now for the RC Byrd project in which case the City of Wadsworth is the host applicant for that process.

Council heard a presentation from Phil Meier, the Vice President of Hydro Development for American Municipal Power Inc., regarding an opportunity to seek and submit an application to the Federal Energy

Regulatory Commission (FERC) for a licensee to construct and operate a hydroelectric power generation facility on the Ohio River or other regional waterway. (Power point presentation inserted)

History:

- FERC License was issued to the City of Orrville on September 27, 1989.
- FERC License have a 50 year life.
- It was part of the 16 projects that were issued as part of the 1989 Federal Environmental Impact Statement (drafted by George Taylor @FERC).
- The City of Orrville approached AMP last year and the project was given an internal review.

1989 Pike Island License Issues:

- Spill flow requirement under Article 402:
 - “ The licenses shall discharge from the project a continuous minimum spill flow of 4,000 cubic feet per second (cfs) from November 1 through June 30 and 6, 000 (cfs) from July 1 through October 31, or inflow to the project whichever is less, in the Ohio River to ensure the maintenance of a minimum dissolved oxygen concentration of no less than 6.5 milligrams per liter in the downstream pool....”
- The resultant effect is a 30-40% reduction in energy production.
- Why was this the case?
 - ◆ The FEIS was based upon a mathematical model that was inaccurate in its projection of Dissolved Oxygen readings.
 - ◆ In the late 1980's effluent issues plagued that area of the river.
 - ◆ Since then the Ohio River has been cleaned up much by advocacy groups (ORSANCO), resource agencies and the resultant impacts of the Clean Water Act.
 - ◆ So why are we here?

Recommendation to Orrville:

- Based upon the existing (1989) FERC license, the project was not economically feasible.
- As a result of the continuing License maintenance costs, AMP recommended it was in Orrville's best interest to surrender the License, as opposed to be facing a termination from the FERC.
- Orrville, after a cancellation from Genn Power, its developer, issued a surrender request.
- FERC will soon deem the license surrendered.

So why are we here?

- AMP's believes some of the stringent requirements under the old License can be cleared in a new license (i.e. the spill flow requirement can be overcome via taking actual measurements of dissolved oxygen).
- A new license will ease and help the corps permitting process.
- The project is viable with the spill flow/ dissolved oxygen requirements removed.
- Orrville would likely be denied a permit if they reapplied.
- As a result, AMP needs a municipal Member to apply to allow for it to use the municipal preference.

- We know we have at least one non-municipal that will apply.

Willow Island and the City of New Martinsville, West Virginia:

- AMP paid the City of New Martinsville approximately \$2M for the Willow Island License.
- Approximately 50% of this payment went to Burgess and Niple for engineering work performed.
- This project did not have the spill flow requirements that Pike Island had.
- If we were starting over on Willow Island we would actually likely suggest a surrender, as a result of having to redo the environmental assessment. Nevertheless, Willow Island will be a good project at 44 MW and 239 Gwh per year

The City of Oberlin Agreements:

- The agreements allow for a greater chance of Oberlin to be the initial licensee and a permit to be granted.
- They allow for AMP to be Oberlin's agent for the development.
- The agreement obligates AMP for all costs.
- The agreement does not obligate the City of Oberlin to participate in the project.

Following the presentation discussion ensued:

Burgess said he made a number of phone calls with various municipalities and with Gen Power who had been working with Orrville. He asked how was it that Gen Power was estimating the same amount of power as described in the presentation but they had been working with lower flow rates.

Meier responded that Genn Power had agreements with Orrville whereby Genn Power would develop the power and sell it to somebody. The project failed in a manner that AMP wouldn't because AMP Inc., currently has more experience with turbine performance criteria than Genn Power does. The second reason why Genn Power didn't have success is because its financing methods were based off of taxable interest loans: so when they were calculating the actual cost of the program, they are using a taxable rate in the (7% - 9%) range; AMP Inc. just closed on a project at 4.39%. Genn Power just couldn't make it viable to AMP Inc. with the way that they were developing the project.

Burgess advised that a Genn Power representative related to him that in 2007 power prices were extremely low and the project didn't look viable from an economic perspective, but in 2008 the power prices were sky high but GP's financing fell through. So by July of 2009, GP consultants finally submitted a letter to Orville saying that they couldn't make the project work.

Pilacky presumed that the estimated year the propose project could go online would be 2019. Meier confirmed that online date.

Pilacky asked if approving the agreement would guarantee Oberlin a certain amount of energy once the project was up and running. Meier said that this was an option that could be discussed with AMP. The key thing to remember with all the hydro projects was the more you participate in multiple projects the better it is, because you diversify the output of the facility across multiple shafts. So, if you have one plant that is down for maintenance then you are still getting output from all of the others. He added that there is a tremendous amount of time for Oberlin to make a decision to request a large amount of output, but

cautioned Oberlin to diversify its portfolio and take smaller risks, as well as wait to see: the terms that come out of the permit, the terms that are expressed in the license, and who the other participants in the project will be.

Peterson asked at what point could Oberlin and AMP discuss how much power to take? Meier advised that AMP would be prepared to have that discussion at anytime.

Sloane said at the PUC meeting it was mentioned that most of Oberlin's hydro contracts depend on the flow of the Ohio River, so they may want to be cautious when determining how much hydro power they desire to procure.

Soucy said this Council has gone on record as wanting to be a leader in the development and procurement of alternative energy, whether they end up directly taking MW from this or not, it's something that benefits a number of people. But the issue is whether or not Oberlin wants to assume a leadership position as being the host applicant. This is the kind of thing that Council wants to be identified with not only on a local level but on a state and international level as well.

Broadwell advised that he appreciated the fact that Oberlin could get this recognition at no cost to the municipality.

Burgess said in the USDC Circuit Court of Appeals a case was heard in 1998 between the City of Orrville and FERC. In which Orrville asserted that FERC's allowing the Cannelton Dam (30 miles upstream of Pike Island) to reduce its flow, impacted the flow at Pike Island. The court at that time decided that since Orrville hadn't developed that site, they didn't have standing to file an appeal. Although, the court made that decision they didn't actually rule on whether or not Pike Island was in fact impacted by that reduced flow rate. Burgess asked if that reduced flow rate was still the case today. Meier advised that he would need to read the case study on his own to review the facts, however the existing license did have the reduced flow rate in it which is why AMP doesn't have any interest in the existing license and would like for it to expire. By virtue of it ending, the process would start over.

Pilacky asked if there were fish ladders at any of the hydro- plants. Meier advised that fish ladders were very expensive to build and you would have to have a significant species movement from one place to the other to justify the need to build one. Since the Ohio River didn't contain any migratory species it wasn't necessary to build one.

Peterson asked if there were any other municipalities competing for the license. Meier advised that he hadn't heard of anyone else being interested in the project.

Burgess pointed out that Oberlin had an opportunity to put its name on the license as well which would provide the municipality with a guarantee that it could exercise some option on the power from this project and not simply be thrown into the pool with 129 other AMP communities. Jackson municipality had done this with the Bellville project and they were able to transfer their license to AMP Inc. for \$1 million dollars and 7% of the power output from that project.

Meier advised that AMP signed an agreement with the City of Jackson, Ohio because the City had spent \$506,541 in acquiring the permits and getting the Bellville license itself. The output at 42 MW was then too much power for the City of Jackson's needs at that time. AMP's position in negotiating that contract at that time was that it would reimburse Jackson for its expenses incurred. Jackson as a result got to be a

participant in the program just like Oberlin. If the City of Oberlin incurs expense from this project it will be reimbursed, per the terms of the agreement.

David Ashenhurst, 260 Sumner Street commented that he would prefer to get the power to the glory. There is nothing in the agreement that obligates the City to participate and there is nothing that obligates AMP to give the City any preference on any of the output of this project. He suggested that a Right of First Refusal provision, be added to Section 1 of the agreement, that will allow AMP to give the City the Right of First Refusal for the output associated with the project.

Steve Dupee advised that Meier was on the phone speaking with the AMP president at this time, to see if it would be possible to add this provision to the agreement. Dupee further advised that if approved it would need to go before the board as well prior to Council's approval. Dupee explained that when he volunteered Oberlin to take part in this project, he didn't come in with any preconceived notion that Oberlin would get a portion of this supply. It was an act that said he knew that the Oberlin community — by virtue of its past history — is supportive of the development of renewable generation. 2019 is a long way away we will have a baseload need that will need to be addressed by the end of 2012 and we have put together a plan that will hopefully work for us, to deal with that need. Once that need is accomplished, then based upon the Black and Veatch report, there will still be small pieces that this community would need based upon forecasted load growth. In around 2019 there would be a need for 1 MW of load growth. He wasn't sure how this project would fit in Oberlin's portfolio in 2019, but they would want to look at all other affordable options available to the City at that time. The concept of the Right of First Refusal is understood and it wouldn't guarantee the City's participation, but it wasn't his intention for Oberlin to come away with a piece of the supply when he volunteered the City for this project.

Meier advised that he was able to reach their General Counsel and he didn't think that there would be a problem with Oberlin taking a license on its own. Meier advised that 2019 was considerable time from now. On a more immediate basis there is a need to get the ordinance passed, with the FERC deadline fast approaching: these agreements become part of that permit request. If they are not able to get the agreements executed in a timely manner, then they may jeopardize being able to get the permit and then they are forced into a competitive situation with anyone who submits a request first. If Council was able to pass the ordinance and execute the agreement at this time, that would be great. There will be time to talk about the amount of output Oberlin would want out of the project.

Peterson advised that he understood the symbolic importance of passing this ordinance, but he would like to see a "Right of First Refusal" clause added to the ordinance as well. He felt that though 2019 was a long way off, the reality is that more than likely there will be a new Council in place who may not be familiar with this process and by adding this language it would permit that Council to either procure the load being offered or to refuse it.

Soucy advised that she recognized the concerns being raised but she saw no reason at all why those reasons could not be addressed down the line.

Motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Soucy, seconded by Broadwell.

Roll Call: 5 Ayes
(1st, Emergency)

2 Nays
(Peterson, Burgess)

Motion Carried

Peterson asked if the motion could be reconsidered at this time. Severs advised that there would need to be a motion to reconsider the emergency vote from the prevailing side. The motion was moved by Pilacky and seconded by Burgess.

Roll Call: 3 Ayes (Reconsider) (Burgess, Peterson, Pilacky) 4 Nays (Soucy, Meadows, Broadwell, Sloane) Motion Failed

In order to close the debate, a motion to move the previous question was moved by Soucy.

Roll Call: 7 Ayes (1st, Final) 0 Nays Motion Carried

(A). Ordinance No. 10 - 11 AC CMS: An Ordinance Authorizing Burgess & Niple Inc. to Perform Additional Engineering Work Related to the Ongoing Improvements at the City of Oberlin Raw Water Pump Station and at the Water Treatment Plant and Declaring an Emergency. (1st)(E)

Peterson moved to have the ordinance read by number, title and substantive portions only, seconded by Pilacky.

Vice President Soucy exited Council chambers at this time.

Roll Call: 6 Ayes 0 Nays Motion Carried

The clerk read as directed.

Motion for passage on first reading moved by Burgess, seconded by Peterson.

Norenberg summarized the item and asked that Public Works Director Jeff Baumann provide the background for Councils edification.

Vice President Soucy returned to Council chambers at this time.
Councilor Peterson exited Council Chambers at this time

Baumann advised that Burgess and Niple, Inc. was the design engineer firm on the project, coordinating the construction work and interfacing with the contractor and their consultants and subcontractors. The engineer consultant has been very helpful with the Cedar Bay project and due to the extended timeframe for completion of the improvements at the Raw Water Pump Station and the Water Treatment Plant, it is necessary to amend the engineering services contract with Burgess & Niple to allow for additional compensation.

Foregoing discussion a motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Soucy, seconded by Burgess.

Roll Call: 6 Ayes (1st, Emergency) 0 Nays Motion Carried

Roll Call: 6 Ayes (1st, Final) 0 Nays Motion Carried

Burgess said this is exactly the type of the project that Oberlin wants to pursue as a City. He pointed out that this project wasn't quite carbon neutral since the seller (Biogas) will be keeping half the Renewable Energy Credits (REC's). He further pointed out that the seller would be selling their portion of the REC's for \$22/REC which the City could do as well if that were its desire.

Soucy said that the 13 year time frame is ideal for the City because as the energy market changes rapidly this provides us with a commitment but also with some ability to be nimble as time passes.

Motion to suspend the rules requiring three readings and elevate the ordinance to an emergency in order to facilitate the goals of the City of Oberlin of acquiring carbon neutral energy as soon as possible was moved by Burgess, seconded by Soucy.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Final)

(C). Ordinance No. 10 - 13 AC CMS – An Ordinance Accepting the Bid of ECO Tree Services LLC, of Ohio for Forestry Services for the City of Oberlin, Ohio, and Declaring an Emergency. (1st)(E)

Councilor Pilacky exited Council Chambers at this time

Broadwell moved to have the ordinance read by number, title and substantive portions only, seconded by Soucy.

Roll Call: 6 Ayes 0 Nays Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Peterson, seconded by Broadwell.

Norenberg summarized the item and asked that OMLPS Director provide the overview.

OMLPS Director reviewed the item:

The Electric Department is responsible for funding and contracting for the City's Urban Forestry Maintenance Program which includes electric line clearance, pruning, removals, storm clean-up, emergency work, related to the City's curb lawn tree inventory. On February 3rd, the City received two (2) bids for the City's Urban Forestry Maintenance Program. Staff recommends that City Council consider the bid award to ECO Tree Services.

Councilor Pilacky returned to Council Chambers at this time

Foregoing discussion a motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Broadwell, seconded by Meadows.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(Final)

5. Other New Business:

None.

6. Council Communications:

Bed Tax Committee Meeting – Meadows/Peterson

Meadows and Peterson reported on the proceedings that took place at a recent Bed Tax Committee meeting resulting in the allocation of funds to 8 different organizations.

- (A). Referrals
- (B). Advocacy
- (C). Correspondence
- (D). Reports

7. City Managers Report:

Transportation Survey - Norenberg

City Manager Norenberg advised that the transportation survey is still going on. Members of the community interested in participating should contact Oberlin Senior Center at 440 - 926 - 6202.

Additional items to add at the March 15th meeting:

Motion to schedule a work session for 6:30 p.m.: to hear and discuss a presentation from ARCADIS of the 2007 SR 58/US 20 Study and to schedule a public hearing for 7:25 p.m. on March 15, 2010: for the Community Housing Improvement Program Application was moved by Broadwell, seconded by Peterson.

Roll Call: 7 Ayes 0 Nays Motion Carried

8. Finance Director’s Report:

None

9. Public Participation:

None

10. Adjournment: Being that there was no further business to come before Council the meeting adjourned at 10:21:24 p.m.

Attest:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

KENNETH SLOANE
PRESIDENT OF COUNCIL

Approved: 3/15/2010

Posted: 3/16/2010