

amount of time and resources that it would take to organize this information. She further advised that she was an advocate of the study and felt that it would be a great help to the department.

Peterson commented that at the last meeting he shared concerns with Soucy about the overuse of consultants. He advised that since that meeting his concerns have been addressed and he would support this ordinance.

Rimbert advised that it had been reported in the Oberlin News Tribune that the school was dealing with a fairly large deficit. He wondered what would happen if the school pulled out, would the City continue with the study.

Norenberg advised that the scope would be reduced to accommodate the City's purpose. Rimbert asked if this would impact the results of the study since a big component of this was to have the school district involved being that it joint –shared a number of facilities. He felt that the study would be incomplete without having this information. Norenberg advised that the study would still overlap in some areas but it would not be as conclusive as it would be if the school district were able to assist with the cost of the survey.

Ashenhurst continued to stress the need to include the Metroparks, Green Acres and Legion Fields. He asked if this study would be a comprehensive study of all facilities in the City whether owned by the Municipality or not. Norenberg advised that it will be a comprehensive study that will articulate what some of the barriers (fees, schedules, etc) were to access some of those facilities.

Shirley R. Johnson said that this was about the vested interests, which was why it was necessary to have a third party conduct the study. In response to earlier comments made by Soucy, Johnson advised that when the school board met, it didn't seem like they had concerns about having the money, it seemed like they had more of a concern with who would agree to the terms of the contract first, the school or the City.

Tony Gaines, Washington Circle said if the City had the money to get a complete comprehensive study done then it should take on the cost.

Following the discussion a motion was entertained to elevate the ordinance to an emergency. However, based on comments from Law Director Severs that this was one situation that the school board should go first, since the City was the one entering into the Contract, the motion was later withdrawn.

Roll Call: 7 Ayes
(2nd Reading)

0 Nay

Motion Carried

(B). ORDINANCE NO. 09 - 81 AC CMS: AN ORDINANCE APPROVING A LOAN TO GREENFIELD SOLAR FROM THE OBERLIN BUSINESS ASSISTANCE REVOLVING LOAN PROGRAM AND DECLARING AN EMERGENCY. (2ND)(E)

The Clerk read by number and title only.

Baumann moved to have the ordinance before Council on second reading, the motion was seconded by Soucy.

Sommer exited chambers at this time.

Norenberg recapped previous discussions concerning this item. He advised that all documents had been reviewed and approved by the Law Director and the OCIC legal Counsel. He further advised that further modifications had been made to the agreement since the last meeting and those changes had been approved by the Law Director and OCIC legal Council as well.

Ashenhurst asked what were the changes that were made and was everyone in agreement that the agreement was ready to go. Norenberg advised that everyone was ready to move forward with the agreement and it was the loan agreement that was revised since the last meeting.

Soucy asked for an explanation as to why it was necessary to pass this item on emergency. Norenberg advised that these loan documents would need final approval by the state, so they needed to get this process moving right away

Ashenhurst moved to have the ordinance before Council on first reading, the motion was seconded by Broadwell.

Soucy moved to suspend the rule requiring three readings and elevate the ordinance to an emergency. The motion was seconded by Peterson.

Sonner returned to Council Chambers

Roll Call: 7 Ayes 0 Nay Motion Carried
(Emergency)

Roll Call: 7 Ayes 0 Nay Motion Carried
(Final).

4. New Business

(A). RESOLUTION NO. 09 – 82 CMS – AN ORDINANCE AMENDING ORDINANCE NO. 09-29 AC CMS, WHICH REZONED APPROXIMATELY 4.33 ACRES OF LAND OWNED BY WGI PROPERTIES, INC., AND DTW, LLC., AND LOCATED WITHIN THE CITY OF OBERLIN, OHIO, FROM “R-1”/SINGLE FAMILY DWELLING DISTRICT TO “PD”/PLANNED DEVELOPMENT DISTRICT TO CORRECT A PARCEL NUMBER AND DECLARING AN EMERGENCY. (1ST)(E)

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

Roll Call: 7 Ayes 0 Nay Motion Carried

The Clerk read as directed.

Rimbert moved to have the ordinance before Council on first reading, the motion was seconded by Baumann.

Norenberg advised that as the ordinance indicated, a permanent parcel number typo had been noted by the Mortgage Company. Staff recommended passage on emergency so the process could move forward for Welcome Nursing Home.

Peterson moved to suspend the rules requiring three readings and elevate the ordinance to an emergency. The motion was seconded by Ashenhurst.

Roll Call: 7 Ayes 0 Nay Motion Carried
(Emergency)

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

(B). ORDINANCE NO. 09 – 83 AC CMS: AN ORDINANCE AUTHORIZING AN INCREASE IN COMPENSATION FOR THE FINANCE DIRECTOR AND AMENDING ORDINANCE 00-99 AC CMS, AS AMENDED, APPOINTING A FINANCE DIRECTOR FOR THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY. (1ST)(E)

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

Roll Call: 7 Ayes 0 Nay Motion Carried

The Clerk read as directed.

Rimbert moved to have the ordinance before Council on first reading, the motion was seconded by Peterson.

Soucy moved to suspend the rules requiring three readings and elevate the ordinance to an emergency. The motion was seconded by Baumann.

Roll Call: 7 Ayes 0 Nay Motion Carried
(Emergency)

Rimbert commended Mr. Talarico for his 10 years of Service and thanked him for doing an outstanding job.

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

5. Other New Business:

6. Council Communications:

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

REPORTS FROM COUNCILOR SCOTT BROADWELL

- Commended the City Clerk for attaining Certified Municipal Clerk Designation

REMARKS FROM COUNCILOR DAVID ASHENHURST

Thanked members of the public and fellow colleagues for all of their support during the loss of his father.

7. City Managers Report:

REPORT FROM ERIC NOREMBERG

- Election poles open tomorrow from 6:30a.m. – 7:00p.m.
- Precincts have changed go to Lorain County Elections.com to get updated information.
- Transportation Federal money available for Congestion Mitigation and Air Quality (CMAQ), that the City might be eligible for.
- Energy Efficiency Concentration Block Grant more information will be forthcoming.
- Power Shift Conference at Oberlin College
- Zion CDC Request for Line Item Transfer

8. Finance Director's Report:

REPORT FROM SAL TALARICO

- Quarterly Banking and Investment Report
- More information on the Revenues and Expenditures will be forthcoming.
- Upcoming Budget Review

9. Public Participation:

- Shirley R. Johnson asked if anything could be done to make sure that there is parking available at Phillips Gym on Election Day.

"Tape error unable to hear last 5 minutes of recording"

10. Adjournment: Being that there was no further business to come before Council the meeting adjourned at 9:35p.m.

Attest:



Belinda B. Anderson
Clerk of Council



David E. Sonner
President of Council

Approved: 11/16/2009

Posted: 11/17/2009

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