

Roll Call: 7 Ayes 0 Nay Motion Carried

(d.) Discussion to consider scheduling a work session for Monday, December 14, 2009.

Council discussed and considered scheduling a work session for the following purposes:

- Oberlin's participation in the Clinton Positive Program.
- A request for assistance from the Cable Program Fund for Oberlin City Schools Access Channel 20 programming.
- Alternatives to meet Oberlin's public transportation needs.

Soucy suggested that with the holiday coming up she would prefer not to schedule the work session before the December 21, 2009 meeting. Hearing comments from City Manager Norenberg regarding preparations to host a reception for Out-going Council members prior to the regularly scheduled meeting, Soucy put forth the following motion:

Motion to schedule a reception in appreciation of outgoing Council members and a Work Session on December 21, 2009 at 5:15 p.m. - 6:00 p.m. and from 6:00 p.m. – 7:30 p.m. respectively, the motion was seconded by Peterson.

Roll Call: 6 Ayes 1 Nay Motion Carried
(Rimbert)

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

None

3. Old Business

(A). Ordinance No. 09 – 74 AC CMS: An Ordinance Authorizing The City Manager to Enter into A Contract with The Edge Group, Inc. of Columbus, Ohio for Professional Planning Services for the Preparation of a Parks, Recreation and School Athletic Facilities Strategic Plan and Declaring an Emergency. (3rd)(E)

The Clerk read by number and title only.

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

Norenberg advised that consultants from The Edge Group, Inc were in the process of revising the scope of the proposed strategic plan. As a result it was the request of staff, that Council, defeat the ordinance before it, and allow staff to submit a newly revised ordinance more specifically tailored to the City's needs. Norenberg advised that a completed draft of a Park's and Recreation strategic plan would be ready by the December 21st meeting. Norenberg advised that the component that has been extracted at this time by the school board deciding not to participate included the athletic fields and facilities that are not typically shared with

the general public. The City's scope would still be to study the needs of our community in terms of parks and recreation and to look at the available facilities in the community to help meet those needs, which includes some of the schools facilities used for summer recreation and after school programs.

Mr. Rimbart asked what would happen if they passed the ordinance before Council instead of defeating it. Law Director Severs advised Council that the ordinance before it was the old ordinance that included the scope of work for the school district but since the schools had opted not to participate administration was now requesting that Council defeat the ordinance so a new ordinance could be presented without the school district in mind. He advised that this item would need to be defeated because the new contract had not been drafted as of yet.

Following a motion by Soucy to call the question, roll call was recorded as follows:

Roll Call:	0 Ayes	7 Nay	Motion Defeated
(3 rd Reading)			

(B). Ordinance No. 09 – 84 CMS – An Ordinance Authorizing the City Manager to Enter Into a Contract with Main Street Oberlin, Inc., to Provide Promotional Activities to the City of Oberlin. (2nd)(E)

The Clerk read the ordinance by number and title only.

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

Norenberg provided a recap of the previous discussion held at the November 16, 2009 meeting, regarding changes to the 2010 Bed Tax Dollar contract with Main Street Oberlin (newly merged Oberlin Area Chamber of Commerce and Main Street Oberlin). Administration recommended that Council allocate \$30,000 to MSO and allocate \$10,000 to other organizations to fund various promotional activities that would draw visitors to the City of Oberlin.

Ashenurst noted that he continued to have concerns with the newly merged MSO which combined a 501(C)(3) which has to serve a public service; with a 501(C)(6) which serves its members interests. He felt the new organization's hands might be tied more than they realize, and he wanted to see more information from them that would reassure him that they would be able to perform the duties necessary for promoting the City of Oberlin. He suggested that the Law Director look into how this will affect the interests of the City. In the meantime, he would only be willing to pass this on second reading.

Law Director Severs advised that it wouldn't affect the City, it would be an internal problem for the organization and as the City's Law Director it was not his job to look into the internal workings of another company. In addition he felt that this was not a legal issue but more of a management issue and it was up to the City Manager to see if this organization was able to get the job done, and if not, then the City Manager would need to determine if he would continue to use the newly merged outfit. City Manager Norenberg advised that the longer Council

Baumann advised that it wasn't necessary to have QCI involved since the architect is very hands own with the construction phase of the project and the Fire Chief who is very familiar with building code requirements was on site as well. In addition, in May Council approved a contract with Resource International Inc., who would be providing the construction materials testing and inspection services for the Fire Station Project.

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

Roll Call: 5 Ayes 1 Nay Motion Carried
(Emergency) (Rimbert)

Roll Call: 6 Ayes 0 Nay Motion Carried
(Final)

(D). Ordinance No. 09 – 90 AC CMS: An Ordinance Accepting the Bid of QEI, Inc. of Springfield, New Jersey, for the Purchase of a SCADA System for the City of Oberlin, Ohio, and Declaring an Emergency. (1st)(E)

Sonner returned to Chambers at this time.

Ashenhurst 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.

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

City Manager Norenberg deferred the discussion to Vic Oeftering, OMLPS Technical Superintendent to answer questions Council may have concerning the purchase of the proposed SCADA System.

Oeftering advised that the Acrynoym for SCADA stood for Supervisory Control and Data Acquisition. The purpose of the SCADA system is to provide remote monitoring and control of various electrical devices throughout the OMLPS utility distribution system. On November 12th, the City received two (2) bids for a new SCADA system from QEI, Inc. and Survalent. Based on a review of the bid documents as well as follow-up conversations with both bidders, he recommends the City Council approve the base bid plus options 1, 2, 3 from QEI, Inc. for a total cost of \$98, 150. While the QEI bid was slightly higher than the Survalent bid, Survalent was found to be non-compliant with several bid specifications including:

Base Bid – The base bid required three (3) years equipment warranty and software support. Survalent included only one year of warranty and support, which would add an additional \$22,000 to the Survalent bid over the life of the contract which made QEI, Inc's bid substantially less. In addition, Survalent was unable to demonstrate that their Windows –

based software could operate as reliably as the VMS –based system proposed by QEI without excessive operator intervention.

Option 3 – This option required five (5) portable radios with DTMF touch pads. Survalent’s bid only includes one (1) portable radio with DTMF touchpad.

Baumann asked what was being upgraded at this time. Oeftering advised that the proposed ordinance would upgrade the master station portion of the system, all remote parts would stay intact.

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

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

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

(E). Ordinance No. 09 – 91 AC CMS: An Ordinance Amending Section 2 of Ordinance 02-90 AC CMS that Established a Consolidated Compensation and Position Classification Plan for Full – Time Regular Employees of the City and Declaring an Emergency. (1st)(E)

Broadwell exited chambers at this time.

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

Roll Call: 5 Ayes 1 Nay Motion Carried
(Ashenhurst)

The Clerk read as directed.

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

Broadwell re-entered Council chambers at this time.

City Manager Norenberg deferred the discussion to Darlene Colaso, HR/Coordinator Assistant City Manager.

Colaso advised that in 2002 Council voted to have a flat 4% annual increase for all the positions listed on the Compensation and Position Classification plan for Full-Time Regular Employees of the City of Oberlin. The emphasis for this plan was to have these positions keep pace with inflation. Unfortunately the last two years has been very tough for the economy and the current economic conditions indicate that a change to the former automatic 4% increase to the position pay grade lows and highs needs to be adjusted to reflect the areas

current economic conditions. At this time staff recommends linking the change in the compensation ranges to the cost of living as reflected in the Consumer Price Index (CPI).\

Rimbert asked if the 4 percent was automatic across the board. Norenberg advised that there was still an annual performance appraisal and review process that would be done in order to determine whether or not to provide an adjustment based on performance.

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

Roll Call: 6 Ayes 1 Nay Motion Carried
(Emergency) (Ashenhurst)

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

(F). Ordinance No. 09 – 92 AC CMS: An Ordinance to Appropriate Monies for Municipal Purposes for the Fiscal Year 2010 and Declaring an Emergency. (1st)(E)

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

Roll Call: 7 Ayes 0 Nay Motion Carried

The Clerk read as directed.

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

Finance Director Sal Talarico advised that this was the final step in the 2010 budget in getting Council's approval. Talarico provided Council with the following budget approval time line:

- June - Council approved the tax budget.
- October – County Budget Commission Proposed Tax Rates Accepted by Council.
- November – Budget Work Sessions were held.
- December – Request for Council's approval of the 2010 City Budget.

Talarico recommended that Council approve the proposed budget on first reading at this time unless Council was prepared to elevate the ordinance to an emergency.

Ashenhurst said that since the Budget Work Sessions in November, he had a chance to attend the first of two Budget hearings at the County level, where aggressive cut backs in a number of areas were made. He had also been approached by concerned citizens who suggested that additional cuts be made to the proposed 2010 budget, in order to allow an opportunity to see what will happen with county revenues over the next year. The additional cutbacks would allow Council to account for the possibility that the economy may not pick up in the next year. Ashenhurst further indicated concerns with purchasing a fire truck for half a million dollars with an economy that is still experiencing a downturn.

Rimbert shared similar concerns with regards to the purchase of a new fire truck at this time. He asked if this truck would be the equivalent of the aerial truck that was purchased 10 years ago. Norenberg advised that the new truck was not an aerial truck; it would replace the 20 year old frontline truck that is currently used to respond to calls.

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

Roll Call: 3 Ayes 4 Nays Motion Failed
(Emergency) (Broadwell, Peterson, Ashenhurst, Rimbert)

Roll Call: 7 Ayes 0 Nay Motion Carried
(First Reading)

(G). Ordinance No. 09 – 93 AC CMS: An Ordinance Authorizing an Increase in Compensation for the Law Director of the City of Oberlin, Ohio, and Declaring an Emergency. (1st)(E)

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

Roll Call: 7 Ayes 0 Nay Motion Carried

The Clerk read as directed.

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

Ashenhurst voiced concerns with providing the Law Director a 20% rate increase for extraordinary services to a retroactive date beginning in August. He commented that this was not part of the discussion that Council had when the evaluation was completed. Finance Director Talarico advised that only the Law Director’s salary would be effective with the hiring date. The extraordinary rate would come into affect with the date of the ordinance.

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

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

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

Soucy expressed her appreciation to Law Director Severs at this time. Law Director Severs expressed his gratitude to Council as well.

(H). Resolution No. 09 – 10 CMS: A Resolution Designating Depositories for the Active and Interim Funds of the City of Oberlin, Ohio, for a Period of Five Years from January

Roll Call: 7 Ayes
(Final)

0 Nay

Motion Carried

5. Other New Business: None

6. Council Communications:

Boards and Commissions Announcement

Soucy expressed her appreciation for all of the citizens who have expressed an interest to serve on the City's boards and commissions. She added that they were still accepting applications until all vacancies were filled.

Sonner Expresses Appreciation

Sonner thanked Soucy for comments she made in the Oberlin News Tribune inviting outgoing members of Council to apply for vacant seats on boards and commissions. He further noted that he had submitted an application to serve on a commission as well.

Sonner also thanked City Manager Norenberg and Finance Director Talarico for their distribution efforts of the discounted prescription cards.

(A). Referrals

(B). Advocacy

(C). Correspondence

(D). Reports

7. City Managers Report:

REPORT FROM ERIC NORENBERG

- Staff report, concerning the sidewalk discussion at the November 16, 2009 meeting will be forthcoming.
- Baseload Resource RFP Update.

8. Finance Director's Report:

REPORT FROM SAL TALARICO

- Community Organization Funding. Deadline is set for Thursday January 28th, 2010.

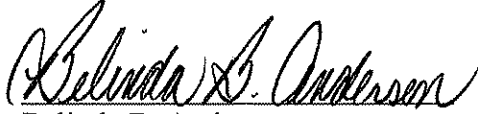
9. Public Participation:

Elizabeth Rumics, Hollywood Street voiced concerns with Council's procedures for running business. She felt that valuable lessons could be learned on how to and how not to effectively run a meeting by watching the City Council. In addition she noted that several citizens have felt that Council has a tendency not to respond to questions or concerns raised on the floor.

She hoped that going forward Council would at least acknowledge members of the public, even if it were to say it didn't have the answer.

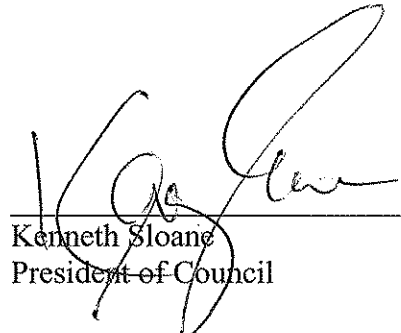
10. Adjournment: Being that there was no further business to come before Council the meeting adjourned at 10:35:48p.m.

Attest:



Belinda B. Anderson
Clerk of Council

Approved: 01/04/2010



Kenneth Sloane
President of Council

Posted: 01/05/2010

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