

- Broadwell suggested that all reference to using the tables on a seasonal basis be stricken from all three guidelines. This included the following sections of the proposed guidelines
 - Section 2. Definitions, item (G) Permit of the Guidelines for “Downtown Sidewalk Cafes”
 - Section 2. Definitions, item (F) Permit for the “Business Activity on Downtown Sidewalks”
 - Section 2. Definitions, item (F) Permit for the “Outdoor Dining Facilities of Cafés”
- Burgess suggested that the following sections be stricken from the “Outdoor Dining Facilities of Cafés” Guidelines:
 - Section 4. Conditions & Requirements, subsections e and f.
- Sloane suggested that all reference to “Permit Fee for Exceptions” be stricken from the Guidelines for “Downtown Sidewalk Cafés and the Guidelines for “Business Activity on Downtown Sidewalks”.

Council heard comments from the audience at this time.

Liz Burgess, 128 Shiperd Circle, read a prepared statement to Council expressing her concerns related to the proposed guidelines. She advised that there had to be a balance between insuring safe passage for all pedestrians and eliminating all other activities that allow for a vibrant downtown area. She asked that Council table this ordinance until changes could be made that would work to the benefit of all parties involved. (See attachment)

Jeanne Pease, 143 East College Street, remarked that the tables alongside of Gibson’s have been a gathering place for over twenty years. She often enjoyed a cup of coffee and reading her paper there on a regular basis. She felt that if the tables along the curbside were moved up towards the store it could potentially hinder the flow of business going in and out of Gibson’s. She suggested that the tables along the curbside be moved up as much as possible without impeding on the proposed 7.5 feet guideline restriction. Pease further suggested that Council table the ordinance until more thought be given to what is trying to be accomplished by the guidelines.

Councilor Soucy, said she had been approached by a number of people who mourned the loss of the chairs along the curbside, those had been viewed as an institution that have served people for sometime. The commission had wrestled with these guidelines trying to make it as simple as possible which turned out not to be the case. She suggested that at the core of the ordinance was a protection of the number of feet on the sidewalk: so long as they have 7.5 feet along the broader sidewalk on College Street and a 1/3 for café tables to 2/3 for each sidewalk along Main Street, it seemed to her that most of the other concerns would fall into place.

Shirley R. Johnson, West College Street, remarked that Council had heard a number of concerns that had not been considered before from the downtown merchants. She felt that any discussion was worthwhile as long as it met the general purpose, which was to provide for commercial development, and to provide for a friendly downtown area. She felt that it was important that Council take into considerations suggestions from downtown merchants like Liz Burgess and they come up with regulations that work, or do away with the whole thing. She felt that it was important to get this information before they put something in stone.

Elizabeth Rumics, Oberlin resident commented that she was quite interested in what Liz Burgess had to say about the various uses of the downtown sidewalks. She suggested that Council consider deleting from its considerations the section on business activity on downtown sidewalks and have that considered as a separate element. City Manager Norenberg explained that regulations were all

Roll Call: 7 Ayes
(1st, Final)

0 Nays

Motion Carried

(B). Ordinance No. 10 – 80 AC CMS – An Ordinance Amending the City of Oberlin Position Classification Plan to Account for the Position of Assistant Water Superintendent and Declaring an Emergency. (1st)(E)

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

Roll Call: 7 Ayes

0 Nays

Motion Carried

The Clerk read as directed.

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

Norenberg provided staff input at this time, highlighting key points outlined in the accompanying memo. He advised that before Council was a recommendation from the Public Works Director to add an Assistant Water Superintendent in the Water Division. An overview of the process used to determine the necessity of the position was later provided by Darlene Colaso, ACM/HRC.

Soucy asked Colaso to explain the value of creating a supervisory position as opposed to filling a classified position. Colaso advised that a supervisory position would remove the existing conflict of having a union supervisor, supervise another union member. In addition it would be beneficial to have the additional staff on hand to provide more specialized training which was needed.

Burgess asked if approving this ordinance would leave the water department shorthanded by one labor worker.

Public Works Director Jeff Baumann advised that they were not proposing to reduce the number of classified Water Distribution Water Operator positions. In the future they may propose to fill that position which would come back as part of the budget discussions, since the position would need to be budgeted and could potentially impact water rates. The proposed position would have little impact on the number of labor workers. They currently have a number of qualified people in the water plant and other public work's divisions who were available on an emergency basis. Baumann agreed that it would reduce the depth within that immediate division, but at the end of the day he didn't believe that it impacted their ability to do certain emergency work in the field, in fact it was his opinion that it enhanced their ability to plan and prioritize accordingly.

Pilacky asked why they were addressing this position at this time when the budget hearing is just around the corner. Norenberg advised that one of the differences related to this recommendation is that it's a part of an enterprise and the rate structure is calculated and will provide for the resources to fund this division and this position. It is a bit different than some of the dilemmas that will be addressed in next week's budget session. Baumann added that the operating budget for the water enterprise fund is about \$1.8 million dollars, so the additional \$11k was a little over half of a percent.

Peterson advised that he would like to have a much clearer sense of what the budget will look like next year before he will pass this ordinance on emergency.

Soucy asked if Jerry Hade would be willing to add to the discussion. Hade advised that this was pretty straightforward request that he had been seeking for quite some time. He had two different departments that he was responsible for: the water plant and the water distribution plant. The administrative tasks, that he is involved in has kept him from being able to spend time in the distribution portion of his job. The folks on distribution do a wonderful job, but are somewhat hampered because they are supervised by union people in the form of a Lead Operator. They have to look out for the future of the department and how to make it more

- Meeting with Lorain County Metropolitan Housing Authority was held. A presentation will be done in a couple of meetings to review updates on renovation project for public housing units with Council.

8. Finance Director's Report:

- Thanked voters for the results of the November 2 election.
- Asked Council to call if there are questions related to the 3rd Quarterly Report provided in Council Packets.
- Ohio Municipal League dues will be paid in the amount of \$1360 for 2011 membership.

9. Public Participation: None

Snow Removal

- Margaret Christian noted that a number of homes were vacant on Berger Court she wanted to know who would be responsible for making sure that those sidewalks were cleared during the winter months, so that residents who walk could get by without having to walk in the street. In addition she hoped that the police would make rounds on a regular basis to make sure that there weren't any squatters taken up in those vacant homes.

Norenberg noted that it was the property owner's responsibility to remove the snow. In this case that would be Lorain Metropolitan Housing Authority.

- Shirley R. Johnson said that if the owner of the property is responsible for removing the snow then it should be enforced by the City. She suggested that Council consider a budget item that will cover snow removal.
- Peterson asked if it were possible for the City to take care of snow removal and then bill the property owner later.

Norenberg advised that it was a difficult issue and practices were in place where homeowners were notified when sidewalks need to be shoveled. He advised that the alternative for the City to take this over was not an alternative given the current budget situation.

Burgess advised that people could volunteer to do this type of work it wasn't something that had to be put off on Municipal government.

- Linda Isabell said since more kids are walking this year the City should get with the schools to see if they can work together to make the sidewalks safe.

Fund Raising for the Underground Railroad Center Project

- Sigrid Boe, member of the Underground Railroad Center Implementation Team, notified Council that they have started the fundraising phase of the Underground Railroad Center Project.

Nominating Meeting

- Clerk Anderson reminded the nominating committee that the deadline for accepting applications for City boards and commissions had expired and it was now time to schedule a meeting. The committee advised that a meeting date would be forthcoming.

