

(c) Approval of Minutes – Work Session – May 21, 2012.

Rimbert reiterated that corrections were made to the May 21 work session minutes as well.

Motion to approve the minutes of the May 21, 2012 work session as corrected was moved by Meadows, seconded by Burgess.

Roll Call: 5 Ayes 0 Nays Motion Carried

(d) Approval of Minutes – Regular City Council Meeting – May 21, 2012

Burgess remarked that he had submitted a typo correction to the Clerk prior to the meeting as well.

Motion to approve the minutes of the May 21, 2012 Regular City Council meeting as corrected was moved by Meadows, seconded by Soucy.

Roll Call: 5 Ayes 0 Nays Motion Carried

(e) Hear a brief presentation regarding possible options for reuse of the Green Acres site and discuss scheduling a work session for continued discussion of this subject.

City Manager Norenberg stated that last summer when the previous City Council discussed the acquisition of the Green Acres site, there was interest in exploring the various options that might be possible for the 14 acre site. A planner by the name of Mark Majewski with Northstar Planning and Design was retained to take a look at the surrounding area, to look at the possible development options that would be compatible with our Comprehensive Plan and Zoning Map. Those options were reviewed by staff, by the public at an open house sponsored by the City back in April, and presented to the Planning Commission two weeks ago. That information was also provided to Council for review in its interim packet. He remarked Gary Boyle was also there to provide additional remarks and answer any questions that Council might have.

Boyle remarked that as the City Manager has mentioned the City commissioned a consultant to assist with preparation of a report. The purpose of that report was to provide a general evaluation of the site and surrounds and to illustrate several alternative redevelopment schemes. It is intended that these illustrated alternatives will assist the City, nearby property owners, and potential site developers to understand the potential of the site, to understand the potential impacts of alternative uses, and to ultimately make decisions and take action for the future of this property. At the public open house staff heard from people in the neighborhood who preferred park and residential use to, commercial or industrial use. Although those uses have some potential benefit or role to play in redevelopment to this site, developmentally this property was acquired partly to provide some park and open space alternatives in this neighborhood. Our Parks and Recreation Strategic Plan has identified that this is one sector of the City that seems to be underserved particularly for neighborhood parks and maybe even district park space. This provides that opportunity to identify that some sort of park development would make sense in this location to meet community needs. Three of the four alternatives illustrate some form of low density residential as well as park or open space use. One includes potentially industrial, commercial type use along Lorain Street with park space along College and Oberlin Roads. The other indicated perhaps some commercial development along Lorain Street along with residential and park space. If nothing else these options illustrate to us that there are many different alternatives to consider.

The Planning Commission at their meeting on June 6th, considered the background information as well as the various alternatives that were presented and came to the collective decision that at this point, it was premature to

identify one of these options as the primary scenario that the City should pursue. However, if Council is interested in marketing or trying to encourage some sort of redevelopment, in addition to a public park space, and land use on this property then that conversation needs to occur based on factors such as compatibility in the neighborhood and other uses in the area. At this point the Commission concluded that the Comprehensive Plan's current designation of the Green Acres' property for future residential use, and the site's present "R-1B"/Single-Family Dwelling District zoning remain appropriate at this time, pending some firming development proposal that would warrant further review and consideration. Since both the Comp Plan designation as well as the Zoning would permit single family residential use and would permit parks or open space use, Commissioners thought that rather than commit to anyone scenario they would wait to see what the development potential is, by looking at what options may be if there is any development interest in it and then pursuing the appropriate change to either the Comprehensive Plan or the zoning designation, based on some reasonable use that the Commission feels would be appropriate for this area. The position of the Planning Commission is they are more than willing to consider development opportunities but there needs to be some consideration as to firstly, the provision of some kind of Parks and Open Space in this area and secondly, ensuring that any future use is compatible with the surrounding properties, which he thinks is an approach that as a planner they would encourage to be taken.

Burgess said that he would be willing to schedule a work session in September or October to discuss this topic further, since they anticipate having a heavier agenda when they return from recess in August. Boyle remarked that the additional time would work better, since there weren't any developers proposing anything at this point.

Shirley R. Johnson, West College Street commented on the public's interest in receiving a copy of the "Majewski" report. Then she asked if the public had been notified about the past discussions held by the City at the Depot and in other venues. She felt that it was important for the whole town to know when they were going to discuss the issue of the Green Acre Site, not just those in the surrounding neighborhood. She was happy to know that Council would also be discussing this issue further in work session. Furthermore she noted that Council should not assume that just because people were not showing up at the meetings that they weren't concerned about this project. In Oberlin there existed a disenfranchised population who didn't feel free to openly express their opinions. She asserted that was Council's obligation to be aware of that and to make arrangements to have good presentations to all residents so that more people were aware that this matter was being discussed.

Rimbert asked the City Manager to respond to the comments.

Norenberg remarked that he was unaware that copies had not been provided for the public. The information had been placed in the interim packet to allow Council more time to review the material, as opposed to placing it in this packet which would have only given Council the weekend. He noted that the report was discussed in an open meeting by the Planning Commission. The Open House held at the Depot in April was announced in a Regular City Council Meeting, advertized in the newspaper, and a letter was also sent to neighbors who lived within 500 ft. of the site. In addition a great deal of discussion related to the Green Acres location took place last year during the focus group sessions held for the Parks and Recreation Strategic Plan. Most of the discussions had to do with what was going to be done with Green Acres if the City decided to purchase it. At that point they didn't talk about specifics, they just said they needed to take a study and take their time and be thoughtful about considering this.

Geraldine Rhodes, 65 East College Street, remarked that her concern was the Green Acres project as well. She felt that for years they have always needed a Recreation Center. Throughout Oberlin's history the City has perpetuated the idea that a Recreation Center was not feasible in this community. It has held to the belief that the best practice to ensuring recreation activities in Oberlin is by forming partnerships within the community. She alleged that this mindset could be seen in Councilor Broadwell's remarks at the Open House held in April, where he stated that: "he had given up on Oberlin owning its own Recreation Center in the 60's." She felt that

the Green Acres site would be a suitable place to house a Recreation Center and expressed her shared disappointment with the Council president that more experts opinions had not been provided. She further stated that if the building had to be torn down, it was her opinion that the property should be set aside for future recreational use.

Tony Mealy, 328 South Professor Street mentioned that most of the acreage around town sold for less than \$6500/acre when undeveloped. The 15 acres that the City bought that can be reused (when it tears down a viable structure) will increase that amount to \$17, 650/acre. That amount would again increase to over \$30,000, by the time the City has its work session in September. He asked if this property or the equipment in the building had ever been declared surplus, which was a requirement per Ohio Law. He asked why were all of these steps dropped in the rush of trying to tear the building down. They now have a rather expensive piece of property with no plan and no additional debate until September to discuss what to do with it. When it's all said and done they would have paid the premium price for the lot without taking the proper legal steps.

Rimbert directed the Law Director to answer at least one of the questions posed by the speaker. Severs remarked that they didn't have to declare the building surplus, because the City owned the land and they weren't getting rid of it.

Meadows asked if they would have to declare the equipment surplus. Rimbert directed the City Manager to address the question and stated that the equipment to his understanding was a part of the demolition. Norenberg remarked that anything that was in the building at the time of the walkthrough during the bidding process, contractors would be able to take into account the opportunity for scrap or salvage value for resale, whatever they feel might be beneficial to reducing the overall cost to the City.

Burgess moved that they establish a work session to discuss future plans for the green acres site at 6:00 p.m. on September 3rd. The motion was seconded by Soucy.

Roll Call: 5 Ayes 0 Nays Motion Carried

Rimbert remarked that the meeting would be advertised for the public as well.

2. ANY CONCERNS THAT ARE NOT ON THE AGENDA MAY BE BROUGHT TO THE ATTENTION OF COUNCIL AT THIS TIME.

None

3. OLD BUSINESS: None

4. NEW BUSINESS:

(A). ORDINANCE No. 12-52 AC CMS: An Ordinance Amending Sections 1501.05 of the Codified Ordinances of the City of Oberlin, Ohio, in Order to Establish Certification Requirements for the Fire Safety Inspectors Within the City of Oberlin 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: 5 Ayes 0 Nays Motion Carried

The Clerk read as directed.

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

The City Manager provided background information on the ordinance. He remarked that this was a minor housekeeping item. The ordinance had been amended to reflect the correct department responsible for issuing a certificate to the Municipal Fire Safety Inspector, which had been changed to reflect “the Ohio Department of Public Safety” in paragraph (b) of the attachment.

Mucciolo asked the Law Director if they should insert the word “Ohio” before the Revised Code in paragraph (b) of the attachment. Severs remarked that the best practice would say to include it but from a legal perspective it really didn’t make any difference. The sections are noted which lets us know that this is the Ohio Revised Code. Severs remarked that Council could amend the attachment if it would like, but there is only one Revised Code in Ohio so it is safe to assume that it means the Ohio Revised Code.

Motion to suspend the rules requiring three readings and to elevate the ordinance to an emergency “to amend the current requirements for Fire Safety Inspectors to ensure the fire safety of Oberlin residents” was moved by Soucy and seconded by Burgess.

Roll Call: 5 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 5 Ayes 0 Nays Motion Carried
(1st, Final)

(B). ORDINANCE No. 12-53 AC CMS: An Ordinance Adopting a Tax Budget for the City of Oberlin, Ohio, for the Fiscal Year Beginning January 1, 2013, and Declaring an Emergency. (1st)(E)

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

Roll Call: 5 Ayes 0 Nays Motion Carried

The Clerk read as directed.

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

The Finance Director provided an overview of the proposed ordinance. It was noted that one of the requirements of the Ohio Revised Code is for the County Budget Commission to request an Annual Tax Budget of each jurisdiction within the County. The Lorain County Budget Commission then uses the Tax Budget to determine the local government funds that are allocated and to determine which levies will be on the City’s Tax Resolution in October 2012. Although those levies are approved for over a 5- 10 year period, Council still has to authorize the tax rates on an annual basis. This Budget is a tool that the County uses to justify those tax rates which has a dual process: local government funds and justifying the tax rates that are in place.

Several years ago the County went to what they call the alternative tax budget but they have also requested additional detail to support the estimated revenues and expenditures. This information would include: levies for the City (both inside and outside millage), several pages of all the revenues, sixteen pages by fund of all of the expenditures, and levies for the library as well. This is the first step in getting a budget for 2013, the next step will be approving the tax rate in October, and then Council will adopt a permanent appropriations ordinance before year end. The proposed ordinance (if approved) will need to be filed by July 20th. Staff asks that Council entertain emergency passage as a result of the filing deadline.

Motion to suspend the rules requiring three readings and to elevate the ordinance to an emergency to allow for timely contract extension of a project under construction” and shall take effect immediately upon passage was moved by Burgess and seconded by Mucciolo.

Roll Call: 5 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 5 Ayes 0 Nays Motion Carried
(1st, Final)

5. OTHER NEW BUSINESS:

Soucy moved to schedule a 6:00 p.m. Executive Session on July 2nd, for the purpose of evaluating the City Clerk, the motion was seconded by Meadows.

Roll Call: 5 Ayes 0 Nays Motion Carried

6. COUNCIL COMMUNICATIONS:

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

Elizabeth Meadows

- Attended a luncheon given in appreciation to the volunteers and sponsors of the Juneteenth Program.

Burgess

- Reported on The Oberlin Project Annual Retreat. Burgess remarked on how well represented the county and the region were at the meeting. It was noted that there were a lot of people, outside of the City of Oberlin, who cared about the project’s success.

Soucy

- Thanked the City Manager for the update on both the Strategic Plan and the City Council Retreat.

7. CITY MANAGER’S REPORT:

Several updates were mentioned by the City Manager:

- Smartmoney.com article naming Oberlin as a great place for retirees to settle in Ohio.
- Memo on OMPLPS’s intention to demolish house on 297 South Professor Street.
- Storm Water Utility update provided at the request of Councilor Burgess.
- Will be on vacation starting on June 29th – July 6th for a family wedding. Gary Boyle or Jeff Baumann will be Acting City Manager.
- Public Works Director will need to schedule a Special Meeting in July or August in order to consider the interconnection agreement for the solar project that the College is working on. The Triad Commercial Development agreement on the south side of Route 20. N may need to be considered at that time as well.

8. FINANCE DIRECTOR’S REPORT: None

9. PUBLIC PARTICIPATION:

Scott Mahoney, with the Oberlin News Tribune remarked that Council had scheduled a work session prior to a Regular City Council meeting for September 3rd, but there was no meeting currently scheduled. He asked if Council actually meant to schedule that work session for the 4th of September instead.

Burgess moved that they strike the work session for the 3rd and reschedule it for Tuesday, September 4th. The motion was seconded by Soucy.

Shirley R. Johnson noted that September the 4th was a school board meeting day.

Roll Call: 5 Ayes

0 Nays

Motion Carried

Shirley R. Johnson, West College Street asked several questions related to the Oberlin Project Retreat relating to who was in charge and responsible for calling the meetings and how information impacting the citizens of the community was conveyed to the public. Burgess remarked that the meetings was scheduled by Bryan Stubbs and led by Heather Adelman, one of their project coordinators. The public may participate and attend the meetings of the individual committees. Johnson asked what conduit had been put in place to allow members of the public to respond to decisions made that will impact them. Burgess remarked that this was a goal setting retreat where no decisions were made. He offered to obtain a copy of the report for her if possible but doubted that minutes were taken, since it was not considered a public meeting. Johnson said the members of the community are concerned about the ideas that are coming out of that group associated with the Oberlin Project, and how residents seemed to have no voice in it, with the exception of an elect few who were a part of it. She felt the need to offer a reminder of this continued concern, since it did not appear to be understood by Council.

Tony Mealy, 328 South Professor Street asked if the 297 South Professor Street property and its equipment would need to be declared surplus before it was demolished. Mr. Severs remarked that he was sure that the City Manager would follow the ordinance in regards to salvageable items in the house, but they wouldn't need to have an ordinance declaring a property surplus before they knocked it down. In addition, Mealy recalled an incident from a few years ago, where he saw the president of Council and an appointed official walking out of the front door with City property on a Sunday afternoon. He advised that the property was the old chairs that use to be in Council Chambers. In this case the building had not been demolished nor were the chairs declared surplus. He asked how was it possible that these chairs didn't need to go through an approval process before Council.

Rimbert commented that he didn't know about the incident and deferred the question to the Finance Director. Finance Director Talarico remarked that there was a provision in the City's Codified Ordinances that allowed the City Manager to determine how old and obsolete equipment is to be disposed of, if its value is \$3,000 or less. Surplus items over \$3,000 would still need to come before Council for approval. He remarked that the specifics were in the Codified Ordinances and he would be willing to provide Mr. Mealy with that information.

10. ADJOURNMENT:

Being that there was no further business to come before Council the meeting adjourned at 8:02:28 a.m.

Attest:

BELINDA B. ANDERSON, CMC

RONNIE J. RIMBERT

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

APPROVED:

POSTED: