



A proclamation was read into the record by Councilor Scott Broadwell recognizing United Nations Day. The proclamation was received by John Elder. Elder thanked Council for the proclamation and announced that on Saturday, November 17<sup>th</sup> a fund raiser event would be held at First Church. He noted that it was their desire that the proclamation be read at this event as well; an invitation to Council would be forthcoming.

**PROCLAMATION**

United Nations day – October 24, 2012

**WHEREAS**, the United Nations was founded in 1945, and the anniversary of the day on which the UN Charter came into force is observed each year on October 24; and

**WHEREAS**, the City of Oberlin joins with the peoples of the world in reaffirming our commitment to the principles upon which the UN was founded; and

**WHEREAS**, the United Nations promotes peace and security, development, democracy, economic prosperity, global health and human rights around the world, and is vital now more than ever; and

**WHEREAS**, in September 2000, 189 nations, including the United States, agreed upon eight Millennium Development Goals to meet the needs of the world's poorest; and

**WHEREAS**, the United Nations works to achieve the Millennium Development Goals, by providing a common development strategy for the international community, improving coordination, coherence, and effectiveness within the UN system, the donor community and developing countries; and

**WHEREAS**, the United States has a long tradition of leading international efforts to improve health, education and economic growth in developing countries; and has shown its commitment to the Millennium Development Goals through foreign assistance, progressive trade initiatives, and debt relief measures; and

**WHEREAS**, the United Nations Association of the USA has declared "The United Nations: Solutions for a Prosperous World" as its theme for the 2012 United Nations Day commemoration; and

**WHEREAS**, a bipartisan poll conducted in April revealed that more than eight out of ten voters say it is important that the United States maintain an active role within the UN; and

**WHEREAS**, the Citizens of Oberlin meet every year to strengthen our commitment to educating and mobilizing our local communities to build a stronger network of global citizens and leaders to create a more prosperous, just and sustainable world;

**NOW, THEREFORE**, I, Ronnie Rimbart, Mayor and President of Oberlin City Council of the City of Oberlin, Ohio, and on behalf of the entire City Council, do hereby proclaim Wednesday, October 24, 2012, as United Nations Day and urge all citizens to participate in programs and activities designed to promote United States support and leadership in developing ways to make the United Nations more effective.

**IN WITNESS WHEREOF**, I have hereunto subscribed my hand and caused the Great Seal of the City of Oberlin, Ohio, to be affixed hereto this 15<sup>th</sup> day of October 2012.

\_\_\_\_\_  
**Ronnie J. Rimbart**  
Mayor/President of Council

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

Annual Evaluation of City Manager

Burgess moved that Council schedule an executive session for the purpose of preparing an Annual Evaluation of the City Manager for next Monday, October 22, 2012 at 6:00 p.m. The motion was seconded by Peterson. All members concurred.

### 3. OLD BUSINESS:

(A). ORDINANCE No. 12-68 AC CMS: An Ordinance Amending and Replacing Chapter 1351 of the Codified Ordinances of the City of Oberlin Relating to the Regulation of Signs, and Amending Section 1357.10(c)(12) of the Codified Ordinances of the City of Oberlin Related to Signs in Commercial Districts (Outside of the Central Business District). (3<sup>rd</sup>)

The Clerk read by number and title only.

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

Norenberg recapped previous discussions related to the proposed ordinance. He stated that at the last meeting Councilor Mucciolo expressed a need to further discuss the changes with Main Street Chamber Director Janet Haar. In the interim discussions have been held with the Main Street Director and Planning and Development Director Gary Boyle. According to Boyle's feedback at this time there were no specific concerns from Main Street Chamber. Haar only expressed a desire to have been involved in the process sooner.

Mucciolo remarked that he had spoken with Main Street Chambers as well and felt that overall the changes to the sign code worked well. He just wanted to raise two points for the record. One is that there has been significant consideration given to how to identify second story businesses in our downtown area. He hoped that the changes would work to do a better job of identifying these businesses. However, in the event that posting of multi-tenant signs on the first floors were not effective, he hoped that the Planning Commission would be open to considering variances as needed for some of our second story businesses so they could be located. The other point is that he recognized the desire to keep electronic moving signs out of the downtown area. However, he was not 100 percent clear on what restrictions the definitions on commercial and non commercial speech placed on businesses like the Bridge. He wondered if the Bridge were to thank a sponsor of an event would that be commercial speech and would that make the sign legal. Similarly would Main Street Chamber be permitted to use the same method to identify new businesses to the Oberlin area? He remarked that his questions were not a good reason to forego passing the ordinance at this time but it is something that he felt could be a concern moving forward.

Burgess expressed his concern with the lack of language addressing sandwich boards in the ordinance. He expected to see this a year ago and he was disappointed that the language had not been included. His initial thought was to send this back to the commission to have them work on it some more. However, he agreed with Councilor Mucciolo that if they passed this tonight and let it ride for awhile (to see what kind of response they get from the business owners and see how generous the Planning Commission is in granting variances) then they may or may not need to revisit this later. At this time he was willing to approve the ordinance as drafted.

Soucy remarked that she would be happy to send these concerns back to the members of the Planning Commission. She saw the concerns about the sandwich boards and the second floor businesses to be linked. It was her understanding that the sandwich boards functioned particularly for businesses that were on the second floor or businesses that were set back towards the library. That was a function that the Planning Commission wanted to continue to allow, so that people would know the location of those businesses.

David Ashenhurst asked if the amendments had been looked at by all of the downtown business owners especially in the absence of a Main Street director. In addition he questioned whether or not there was an ordinance that specified what the fines were for violators of the code and how these violations were to be enforced?

Members of Council remarked that they didn't know if all of the downtown business owners had been informed. Severs remarked that he didn't have the Code book in front of him so it was difficult to say whether or not there

was an ordinance in effect that laid out specific penalties for the violation of certain provisions of the Sign Code. If not, then Council would have to pass one at some future date. He believed that an ordinance was in place but he couldn't cite it without the Code Book. Soucy reiterated that she would raise these issues with the Planning Commission at the upcoming meeting.

**Roll Call:** 7 Ayes 0 Nay Motion Carried  
(Effective in 30 days)

**4. NEW BUSINESS:**

(A). ORDINANCE No. 12-72 AC CMS: An Ordinance Amending Ordinance 97-28 AC CMS Which Established Fees and Charges for Various Services, Permits and Licenses of the City of Oberlin, Ohio to Incorporate Updates and Additions for the Oberlin Police Department and Declaring an Emergency. (1<sup>st</sup>)(T)

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

**Roll Call:** 7 Ayes 0 Nays Motion Carried

The Clerk read as directed.

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

The ordinance was introduced by City Manager Norenberg who indicated that the proposed ordinance would establish fees associated with collecting finger-prints from the general public and would also eliminate the fees associated with bicycle registrations in the City of Oberlin. Remarks were also made by Police Chief Miller who explained how the new finger print equipment would streamline the booking process for the police department. In addition it was noted that the Oberlin Police Department had now been recognized by the Attorney General's office as one of 23 locations in the Lorain County area granted the ability to offer finger printing services. Miller further noted that a press release would go out to let the community know that this service was now available.

Following a brief discussion a motion to suspend the rules requiring three readings and to elevate the ordinance to an emergency for the reason stated in Section 3 was moved by Burgess and seconded by Meadows.

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Suspension of Rules/ Emergency)

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Final)

(B). ORDINANCE No. 12-73 AC CMS: An Ordinance Approving an Amended Job Description for the Law Director of Oberlin City Council and Declaring an Emergency. (1<sup>st</sup>)(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 was moved by Soucy, seconded by Broadwell.

Law Director Severs remarked that this was a housekeeping matter updating the Law Director’s job description. The proposed ordinance gives more body to the qualifications and expectations of the Law Director. It was noted during discussion that no additional changes had been made to the proposed ordinance than what had been presented to Council at this time.

Motion to suspend the rules requiring three readings and to elevate the ordinance to an emergency for the reason stated in Section 3 was moved by Peterson and seconded by Mucciolo.

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Suspension of Rules/ Emergency)

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Final)

(C). RESOLUTION No. 12-74 CMS: A Resolution Accepting the Amount and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. (1<sup>st</sup>)

The Clerk and Finance Director read the Resolution in full.

The Finance Director outlined the process used for approving the 2013 Budget. In addition he also answered a question raised by Burgess who asked how much the sexennial update of the Property Tax Revaluation was affecting Oberlin’s values and taxes. Oberlin’s collections are decreasing by \$22, 463 and the school’s collections will decrease by \$69, 904. He noted that the County was approved for an extension from the Ohio Department of Taxation to complete its work but the City will need to have its portion submitted to the County by October 30, 2012.

Foregoing further discussion a motion to suspend the rules requiring three readings and to elevate the ordinance to an emergency in order to ensure the property tax rates are approved and submitted to the County Budget Commission and County Auditor by October 30, 2012 was moved by Soucy, seconded by Broadwell.

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Suspension of Rules/ Emergency)

**Roll Call:** 7 Ayes 0 Nays Motion Carried  
(1<sup>st</sup>, Final)

**5. OTHER NEW BUSINESS:** None

**6. COUNCIL COMMUNICATIONS:**

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

Sharon Soucy

- Thanked Sal Talarico for the information provided on how the changes for OPERS will affect individual Councilmembers. She suggested that Councilmembers get with the Finance Director if they have questions. In addition she asked each Councilmember to consider how these new pressures from

OPERS may impact their decision to approve a raise for Council. The decision to approve or not approve a raise will have to be done no later than the second meeting in January of 2013.

- Provided an update on the condition of Shirley R. Johnson who is now at the Oberlin hospital and will be there for the next 10 days.
- Announced that she will be moderating a program at Kendal this upcoming Thursday evening following a film that addresses some of the particular challenges that faces gay couples as they age. There will be a film and then a dinner (at a minimal price) followed by a guided discussion afterwards. The film will begin at 4:00 p.m.
- Announced that the City Manager was presented an award by ICMA in recognition of 25 years of service to Local government.

Ronnie Rimbart

- Announced that Sal Talarico had received the John D. Cannone Award which is the highest honor bestowed on a member of the Ohio Association of Public Treasurers.

#### **7. CITY MANAGER'S REPORT:**

City Manager Norenberg:

- Thanked Council for the kudos and for its support of professional development for Council appointees.
- Provided an update on the former Green Acres property and upcoming Open House.

#### **8. FINANCE DIRECTOR'S REPORT:**

Finance Director Talarico highlighted changes made to OPERS that will impact City Council:

- The minimum amount that a member will have to earn to get a month of OPERS credit is \$250. Effective January 1, 2014 that will increase to \$600. In order to earn credit towards the healthcare benefit the amount that Council will have to earn will need to increase from \$250 to \$1000 a month.
- Is working with Clerk Anderson to get a representative of OPERS in town to discuss the changes. There is a minimum of 60 attendees before they come out to a community. They are shooting for early December to schedule this event.

#### **9. PUBLIC PARTICIPATION: None**

#### **10. ADJOURNMENT:**

Being that there was no further business to come before Council the meeting adjourned at 8:03 p.m.

**Attest:**

\_\_\_\_\_  
BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

\_\_\_\_\_  
RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

APPROVED: 11/05/2012

POSTED: 11/06/2012