



Minutes of the Regular City Council Meeting

Held on Monday, June 17, 2013

7:00 p.m.

Executive Session - 6:30 p.m. – Conference Room 2

Purpose: Discuss Pending or Imminent Litigation

1. COUNCIL BUSINESS

(a) Call Regular City Council Meeting to Order and Roll Call – 7:10 p.m.

A regular meeting of the Oberlin City Council was held on June 17, 2013 in the Council Chambers of the Oberlin City Hall, located at 85 S. Main Street Oberlin, Ohio. The meeting was called to order at 7:20 p.m., by Presiding Officer Ronnie Rimbart. Roll Call was taken:

Council Members:

Present

Absent

Charles Peterson

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Bryan Burgess

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Sharon Soucy

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Elizabeth Meadows

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Scott Broadwell

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Aaron Mucciolo

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Ronnie Rimbart

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Appointees:

Belinda Anderson, Clerk of Council

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Jon Clark, Law Director

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Eric Norenberg, City Manager

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Sal Talarico, Finance Director

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(b) Approval of Minutes – Regular City Council Meeting – May 20, 2013.

Motion to approve the minutes of the May 20, 2013 Regular City Council meeting as submitted was moved by Meadows, seconded by Burgess.

Burgess noted a correction to the minutes on page 4, relating to the West College Street diagonal parking discussion. He proposed new language to read as follows:

“Burgess asked if it would be possible to widen the *south side of the West College Street sidewalk...*”

Roll Call: 7 Ayes

0 Nays

Motion Carried

- (c) Approval of Minutes – Regular City Council Meeting – June 3, 2013.

Motion to approve the minutes of the June 3, 2013 Regular City Council meeting as submitted was moved by Meadows, seconded by Soucy.

Roll Call: 7 Ayes

0 Nays

Motion Carried

- (d) Hear and discuss a presentation by staff of Lorain Metropolitan Housing Authority regarding the status of the “Pagoda” Housing Renovation project. (Last update was on February 4, 2013.)

Council heard a status report from John McMahon, Assistant Director of Lorain Metropolitan Housing Authority related to the Pagoda Housing Renovation Project. It was noted that all units were completed on Berger Court and work had commenced on Vine Street and South Park Street. It was noted that they were actively accepting applications at this time and anticipated that the project would be complete no later than December 31, 2013. In addition preparations are being made to host a ribbon cutting celebration near the end of summer or early fall.

Soucy asked if families could return to units before the school year began. McMahon remarked that he believed that the first twenty – eight (28) units could be fully leased before the school year started.

Peterson thanked the LMHA organization for its consideration in not relocating families with children who attended schools in Oberlin. He asked if consideration was also given to individuals who worked in Oberlin when relocating families. McMahon remarked that it was; if they worked in Oberlin then they were not relocated.

Norenberg remarked on the collaborative efforts between OMLPS, Cable Coop and Lorain Metropolitan Housing Authority in providing the utilities (cable lines are covered and (cable lines are covered and on-street light fixtures)with an updated look.

Elizabeth Rumics, Hollywood Street, said that she has been driving by the Berger Court area and has been very impressed with the work that is being done.

- (e) Hear and discuss a presentation by Police Chief Tom Miller regarding planned improvements to the police dispatch.

Members of Council heard a presentation by Police Chief Tom Miller regarding the above stated project. A PowerPoint outlining the presentation is attached to the minutes.

Mucciolo questioned whether or not the initial quote of \$200,000 was accurate given all of the cost saving measures that the department has been able to implement. Miller stated that the original quote was in his opinion “the Cadillac of quotes”. There were some things that were included in the quote that were unnecessary to the Oberlin Police Department (OPD).

Soucy asked if they could remove the table area for the Central Control Panel. Chief Miller responded that one of the goals was to remove the table which would allow space for mirrored workstations.

- (f) Hear and discuss a presentation by Public Works Director Jeff Baumann regarding planning for sidewalk improvements on West College Street.

Members of Council heard a presentation by Public Works Director Jeff Baumann, who provided an update on preparations for a sidewalk improvements project on West College Street. The presentation highlighted key elements including:

- Suggested steps to help accelerate the improvements to sidewalks on West College Street along with a list of pros and cons, and
- Wrap-up discussion on which direction Council would like to go.

PowerPoint presentation is attached to the minutes.

Soucy asked for a general idea of what the City expects is available as a defined right-of-way. Baumann remarked that the right-of-way varies throughout the City, but the most common is 60' ft of right-of-way. The proposed site for the West College Street project has approximately 80' ft of right-of-way.

Baumann remarked that one of the challenges about doing the West College Street sidewalk project is that without carefully defining the right-of-way and without ensuring property owner cooperation, the next property owner to the east (whose property appears to be right on the right-of-way) could deny the City access, which would cause them to have to shift the sidewalk and redirect it 18 inches to the left.

Soucy appreciated the advantages and disadvantages that were reviewed in the presentation. She wanted to remind the public that this is a particularly problematic area especially in the evening when you are driving west heading directly into the sun. There are the apartment buildings there that have a fair number of children in the area and there is no way to walk except in the streets. One thing that has driven her concern in champion this project for so many years is the issue of safety. She said that this was not a new issue. The City has on a number of occasions come close to making a commitment to building this sidewalk, and the Safe Routes to School Program basically sidetracked the project. What Council is facing now is a history where they have talked about making a commitment to this area, and she would like to see them follow through. She questioned how much of this project can be done in house. Baumann remarked that staff has the skill set to do it, but it would be a big undertaking. If they were to do it, he would suggest that they do all of the engineering with the exception of the surveying. He pointed out that the General Maintenance Division was already two people short and there was also the fact that there were a number of other competing priorities. It would not be his recommendation to have staff do this project, but if he were directed to do so by the City Manager then he would.

Burgess asked the Public Works Director to e-mail him a copy of the thirty-page document describing design/build.

Mucciolo recalled from the City Council's most recent retreat, that the Safe Routes to School Project has approximately fourteen (14) different elements to it. He was under the impression that if they were granted funds through the Safe Routes to School project, then they would still need additional funding to complete the entire project. He asked if that were still the case. Baumann remarked that there was still a conceptual gap because they don't know how much it is going to cost to complete the project. Mucciolo asked if it were possible that the award amount could in fact cover all fourteen (14) elements, but the budget that Council has put together requires some additional local match in the anticipation that costs are going to be higher for all of these projects. He explained that his interest in fast tracking this project is based on the idea that they were going to have to spend about \$90,000 of local money anyways in order to get the entire project done. Baumann remarked that he didn't know if a local match would be required since the City had not been involved in any of the design contract negotiations and, until it is designed and bid, then they really don't know what the costs will be. The worst case scenario, based on the information that ODOT shared to date, they could get out to 2015 and the \$90,000 dollar commitment

that they make, might be required to build all of those projects. The flip side of course is that all fourteen (14) elements could come in under bid and there would be no local match required.

Meadows asked if staff had tried to estimate what the cost would be if they did the work. Baumann remarked that they had not. Most of the costs would come from the labor and the efficiency of building the sidewalk. He anticipated that this would be a large project for staff.

Soucy stated that at the last City Council Retreat, Council said they were committed to doing this with \$56,000 from the City budget. She said she would like to know where they were at with this, because she was kind of surprised to see that they were still debating on how this project was going to be done.

Burgess said it would take a motion from Council to move forward with the project. There is no doubt in his mind that he would like the City to take on the costs for building the sidewalks and he was not willing to wait for ODOT any longer.

Mucciolo said he was willing to agree with his colleagues at the retreat based on the understanding that the City was going to have to commit \$90,000 in matching funds, which may not be the case. He wondered if Council should further consider committing \$90,000 to address the top two projects on its list of priorities, instead of committing only to the West College Street Sidewalk Improvement project.

Broadwell said the consensus that he got from the Council Retreat was that they would like to focus on the West College Street Sidewalk Project, additional projects could be addressed at a later date.

Rimbert asked if \$56,000 would cover the costs to repair the sidewalks on West College Street. Baumann remarked that they wouldn't know for sure until the project went out to bid, but that was the estimate that was provided by the City Engineer. Rimbert said he recalled that a large part of the Comprehensive Plan was to connect the City with sidewalks and as a Council they need to make a commitment to that goal and make this happen.

Peterson asked if they could see an ordinance on this at the next meeting. Baumann remarked that it would only require a motion by Council to direct the staff to build the West College Street sidewalk with income tax money.

Soucy made a motion to direct the City to move ahead with the construction of a sidewalk on the North side of West College Street from the Miller property to the apartments where the sidewalk continues using City funds; the motion was seconded by Peterson.

David Ashenhurst, Sumner Street, said that he wants to see this project move forward, but hopes that three issues can be considered:

1. Make a special assessment that gets paid when the property changes hand.
2. Refrain from using the bad back syndrome as the basis on which we build or do not build sidewalks.
3. Consider assessing property owners on both sides of the street for installing a sidewalk on one side of the street in areas where there aren't currently any sidewalks.

Additional remarks were made related to the City's legal authority to do things in its right-of-way, without having permission from property owners.

Tony Mealy, 328 South Professor Street, provided a history on how the City began the process of assessing property owners for sidewalk installations twenty (20) years ago. It was his opinion that to ensure the safety of those neighborhoods on the outskirts of the City, the City should consider using income tax money to get sidewalks installed for the entire City and plan on assessing property owners.

Mucciolo asked if the motion needed to include anything about the financing mechanism right now or if that could wait. Law Director Clark remarked that the motion was simply to move forward with the project.

Sooucy said that she appreciated the public remarks related to the sidewalk issues in Oberlin. She said the goal for tonight was to focus on one specific area that has been a cause for concern for years. The recommendations were good, and they have members of the Planning Department and the Safe Routes to School Committee that are looking beyond this particular measure, for what they need to do, but she would like to encourage Council to deal with the motion that is on the floor and not get distracted by everything that needs to be done regarding sidewalks.

Clark noted that there is an ordinance on the books that deals with assessing property owners for the cost of installing new sidewalks. He would like to review this further as the project moved forward.

Roll Call: 7 Ayes 0 Nays Motion Carried

- (g) Discuss and consider possible changes to Section 551.05(b) of the Codified Ordinances of the City of Oberlin related to naturalized vegetation areas.

Members of Council heard a report from Gary Boyle, Oberlin's Planning and Development Director related to the increased number of complaints that have been brought to the City against property owners who have failed to maintain their naturalized vegetation areas.

Boyle highlighted the following key points:

- Provided background on how the Naturalized Vegetation Areas provision came into effect.
- Currently the City has received complaints on 95 properties.
- Reviewed the restrictions and impacts of noxious and poisonous plants.
- Reviewed the process for alerting property owners who are in violations of this ordinance.
 - 28 certified letters were returned as not claimed and 14 regular mailed letters came back unclaimed as well.
- Reiterated the importance for property owners to submit applications to participate in the program.
 - Program established in order to ensure that properties are maintained in the proper manner.

Peterson asked if the number of complaints had increased since the implementation of the adoption of the Naturalized Vegetarian Area ordinance. Boyle remarked that he believed the number of complaints this year had increased.

Peterson said based on what was reported and what he has read, it sounds like this is more of an enforcement issue than it is about problems with the ordinance on the books. Boyle concurred.

Burgess agreed with remarks from Peterson. He wondered if they should consider increasing the penalty amount if violations continued. He would be interested to see the original ordinance approving the program alongside the proposed ordinance, realizing that both ordinances might need to be adjusted.

Soency remarked that it has been suggested that they should consider modifying the ordinance so that a naturalized vegetation area would only occur on the side or in back yards. In terms of enforcement, according to the Community Services Officer, there is an element of the ordinance that makes it impossible for the CSO to enforce, when it comes to identifying noxious weeds in an overgrown yard.

Boyle agreed that making the proposed changes to the ordinance might make it easier to enforce.

Broadwell said that he agreed with Soucy that if they took it out of the front yard it would make it easier to enforce.

Mucciolo said he is not opposed to changing the ordinance, but he is unclear on what problems they were currently facing that resulted from this ordinance. He asked if there had been any complaints from residents about people who have looked at a residential lot that are in compliance with naturalized landscape ordinance. Boyle remarked that there are complaints for yards that is in compliance with City Code and for those that are not. Boyle reiterated that clearly with limited staff resources, it becomes much easier for the CSO or another police officer to enforce the law if the ordinance is written in the manner as proposed by Soucy.

Burgess suggested that they forward this matter to the Open Space and Visual Environment Committee for a recommendation at the next meeting.

Rimbert said he had seen a lot of overgrown weeds, not wildflowers, and felt that it was necessary to come up with a better plan on how to move forward with this project. He asked how many applications for this program had been completed to date. Boyle noted that there hadn't been any applications submitted to date.

Soucy addressed the difficulties in maintaining wildflowers and she also expressed her discomfort with organizations that have designated an area as wildflowers when there isn't a wildflower in sight.

Mucciolo remarked that he would take all of these concerns to the Open Space and Visual Environment Commission. In addition, he noted that the provision related to naturalized vegetation areas not only applied to wildflowers, but to naturalized vegetation as well.

Ashenhurst, Sumner Street concurred with remarks expressed by Mucciolo, that the City Code provision permitted meadows and tall grass prairies not just wild flowers. He noted that if it was a matter of people not mowing their lawns, then it should be easy to enforce if they haven't signed up for the program.

Tony Mealy, S Professor Street, noted the impacts that noxious weeds could have on the community.

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

Update on Reserve Avenue Situation

Kris Walz, Reserve Avenue remarked that Reserve Avenue has flooded again. She asked the City to provide her with an update on what was going on with that program.

Law Director Clark remarked that he is conferring with the former law director on this issue, but he is not in a position to provide additional information this evening.

Mucciolo asked if there was any water at the entry way? Walz said there was not.

Rimbert asked if they should be discussing this matter at this time. Law Director Clark said he would prefer that they didn't.

3. OLD BUSINESS: None

4. NEW BUSINESS: None

5. OTHER NEW BUSINESS:

None

6. COUNCIL COMMUNICATIONS:**(A). Referrals****(B). Advocacy****(C). Correspondence****(D). Reports**

Soucy

- Had two different calls from residents concerned with the issue of pesticide and herbicides on lawns.
- Commended members of the Juneteenth Committee and several individuals for their participation in the Juneteenth celebration.
 - Meadows remarked that she has attended every Juneteenth event since she moved here in 2001, and she felt that this was the best one that she had ever attended.
 - Broadwell concurred.

7. CITY MANAGER'S REPORT:

- Zach Tolich working on Citizenship badge.
- Letter from Lorain County Commissioners requesting to host a town hall meeting in Oberlin.
- Ribbon cutting for the demolition of the house on 69 South Park Street through the County Land Bank.
- Census Bureau calls conducting surveys with residents are legitimate. Contact information for the Oberlin Census Bureau headquarters is available at City Hall. He cautioned residents to contact the Oberlin Police Department if they feel that they are being scammed.

8. FINANCE DIRECTOR'S REPORT:

- Received an initiative petition from a local group against fracking.

9. PUBLIC PARTICIPATION:

- Ashenhurst appreciates comments regarding this year's Juneteenth. He felt that it was a very successful Juneteenth as well from every perspective.
 - Will be receiving feedback from the community at JuneteenthOberlin@lightpost.com.
 - Thanked Oberlin Community Services for bringing back the Juneteenth Community Picnic.
 - Next year's Westwood Cemetery will be 150 years old and will be very much a focus at next year's Juneteenth.
 - Pushed to get members of the community to volunteer to clean up the cemetery.

10. ADJOURNMENT:

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

Attest:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

SHARON F. SOUCY
PRESIDENT OF COUNCIL

APPROVED: 07/01/2013

POSTED: 07/02/2013

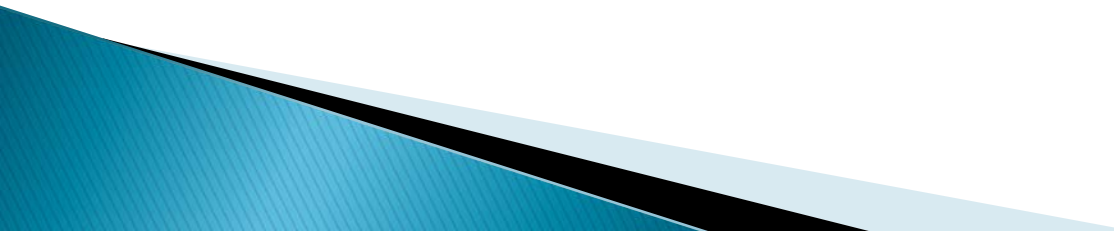
POLICE DISPATCH CENTER RENOVATION

CONTROL PANEL UPGRADE PROJECT

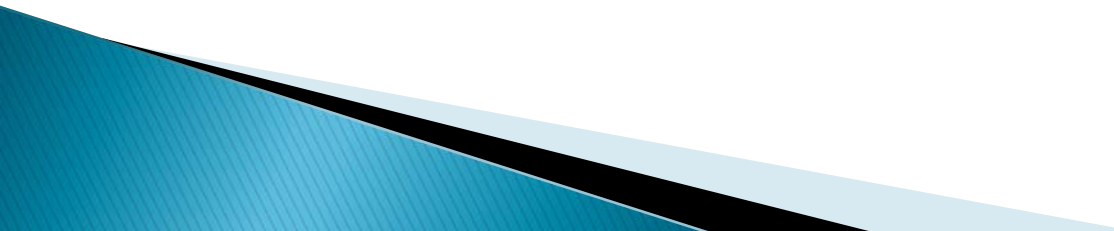
ORIGINAL IDENTIFIED PROBLEMS

- ▶ LACK OF SPACE
 - ▶ INEFFICIENT DESIGN
 - ▶ CONDITION/RELIABILITY
 - ▶ TECHNOLOGY CONSIDERATIONS
 - ▶ ERGONOMICS/EMPLOYEE SAFETY
- 

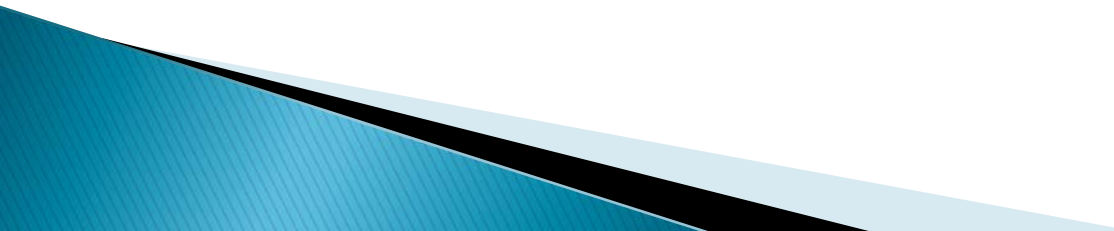
2008

- ORIGINAL QUOTE EXCEEDED \$200,000
 - DECISION WAS MADE TO PHASE IN IMPROVEMENTS
- 

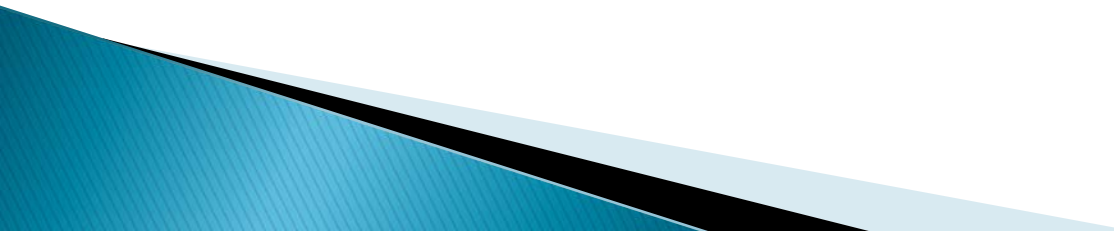
2009

- ▶ REPLACED DIGITAL CHANNEL LOGGER
(records all telephone/radio communications)
 - ▶ VASU QUOTE – \$34,460.00
 - ▶ PURCHASED FROM STEVEN CAMPBELL &
ASSOCIATES – \$9,675.00
- 

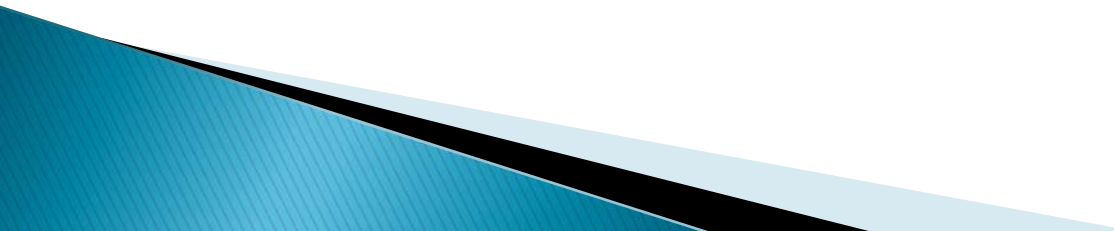
2011

- ▶ UPGRADE OF CAMERAS AND MONITORS
 - ▶ VASU QUOTE – \$39,355.10
 - ▶ PURCHASED FROM DIEBOLD SYSTEMS –
\$21,000.00
- 

2012

- ▶ PURCHASED A KEY FOB SYSTEM FROM REBMAN SYSTEMS – \$5,168.87
 - ▶ CAPABILITY TO UPGRADE SYSTEM TO INCLUDE LIGHTS AND DOORS IN JAIL AREA
- 

2013

- ▶ COMPUTER CONTROL JAIL/DOOR ACCESS CONTROL
 - ▶ VASU QUOTE – \$71,224.11
 - ▶ REBMAN SYSTEMS QUOTE – \$30,379.73
- 

CURRENT CONSOLE CONFIGURATION (MAIN)



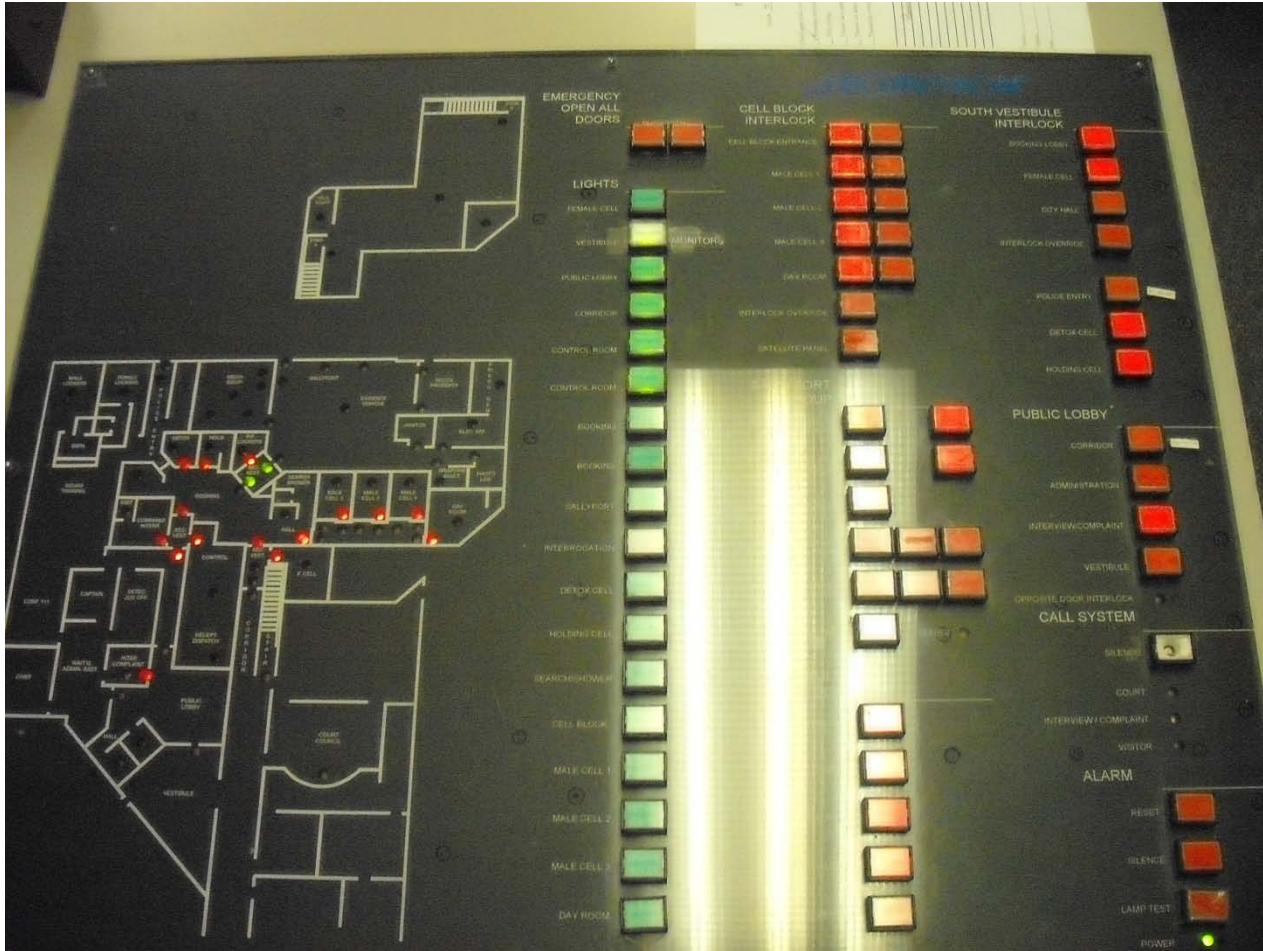
CURRENT CONSOLE CONFIGURATION (STATION 2)



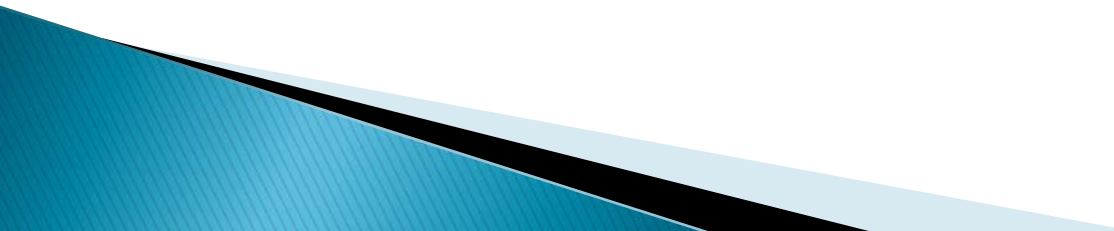
MAIN CONTROL PANEL



PANEL CLOSE UP



FUTURE IMPROVEMENTS

- ▶ 2014 – NEW WORKSTATIONS
VASU QUOTE – \$29,488
 - ▶ 2015 – NEW CONSOLE
VASU QUOTE – \$62,322.09
(tentative depending on status of centralized dispatch)
- 

DESIGN CONCEPT



LINEAR DESIGN



MIRRORED WORK AREAS

WEST COLLEGE SIDEWALK INSTALLATION DISCUSSION



Project Information

Number of Parcels Impacted:	15
Number of Property Owners:	11
Approximate Distance:	1,310'
Estimated Project Cost:	\$56,066.66

West College Sidewalk Project Development by the City

- Prepare Background Information
- Determine Project Financing Mechanism(s)
 - Income Tax Capital Improvement Fund
 - Special Assessment
 - Some combination of the foregoing
- Schedule and Conduct Property Owner Meeting
- Select surveying to establish limits of R/W
- Plans Development
- Bidding & Award
- Construction
- Transfer of O & M responsibility to Property Owner

Timeline: Approximately 5 Months

West College Sidewalk Project Development by the City

Advantages

- Baring property owner objection(s) and/or unforeseen construction challenges, this project can be completed in 2013.

Disadvantages

- 100% of the project cost borne locally
- Budget impact
- Financing precedent
- Project priorities
 - Policy
 - Administrative

SRTS Project Status

- Application submitted November 4, 2010
- Funding award March 31, 2011
- ODOT QBS processes for design services
- Construction budget on STIP; design is not
- Construction schedule: spring/summer 2015
- Design/Build?

Please refer to April 29, 2013 SRTS Project Status memorandum for more detailed information.

