



**Executive Session** - 6:00 p.m. – Conference Room 1  
 Purpose: to discuss pending and imminent litigation

**Minutes of the Regular City Council Meeting**  
 Held on Monday, October 7, 2013  
 7:00 p.m.

**1. COUNCIL BUSINESS**

- (a) Call Regular City Council Meeting to Order and Roll Call – 7:20 p.m.

A regular meeting of the Oberlin City Council was held on October 7, 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 as follows:

<b>Council Members:</b>	Present	Absent
Charles Peterson	<input type="checkbox"/>	<input type="checkbox"/>
Bryan Burgess	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Soucy	<input type="checkbox"/>	<input type="checkbox"/>
Elizabeth Meadows	<input type="checkbox"/>	<input type="checkbox"/>
Scott Broadwell	<input type="checkbox"/>	<input type="checkbox"/>
Aaron Mucciolo	<input type="checkbox"/>	<input type="checkbox"/>
Ronnie Rimbart	<input type="checkbox"/>	<input type="checkbox"/>

**Appointees:**

Belinda Anderson, Clerk of Council	<input type="checkbox"/>	<input type="checkbox"/>
Jon Clark, Law Director	<input type="checkbox"/>	<input type="checkbox"/>
Eric Norenberg, City Manager	<input type="checkbox"/>	<input type="checkbox"/>
Sal Talarico, Finance Director	<input type="checkbox"/>	<input type="checkbox"/>

- (b) Approval of Minutes – Regular City Council Meeting – September 3, 2013.

Motion to approve the minutes of the above stated Regular City Council meeting as corrected was moved by Broadwell and seconded by Burgess.

Burgess noted that a number of corrections had been forwarded to the Council Clerk prior to the meeting, basically grammatical and spelling errors, but nothing of substance. Clerk Anderson remarked that all corrections submitted prior to the meeting had been inserted prior to the start of the meeting and what was before Council was the corrected version. The corrected version had also been provided to the



(A). RESOLUTION No. R13-09 CMS: A Resolution Requesting the Ohio General Assembly Pass Legislation and Governor Kasich Sign Legislation to Amend the Ohio Revised Code to Enable Home Rule Cities to Regulate the Possessions of Firearms in Public Parks and Declaring an Emergency.

Rimbert deferred the old business item to the Law Director.

Law Director Clark remarked that since the last meeting the City has been served with a law suit that deals with the issues raised in the aforementioned resolution. Since he has not had an opportunity to meet with Council to discuss the impacts of this lawsuit, he didn't know whether Council would want to delay further action on passing this resolution until they have had a chance to determine whether the pending litigation would necessitate any amendments to the resolution. He knew that this was second reading, which meant that in theory they could go on second reading, but it was his thought that Council may want to table this matter.

Burgess concurred with remarks from Clark and moved to table the ordinance indefinitely. The motion was seconded by Soucy.

<b>Roll Call:</b>	6 Ayes	1 Nay	Motion Carried
(Tabled)		(Mucciolo)	

**4. NEW BUSINESS:**

(A). ORDINANCE No. 13-60 AC CMS: An Ordinance Accepting the Bid of Crossroads Asphalt Recycling, Inc. of Columbia Station, Ohio, for the 2013 Pavement Maintenance Project and Declaring an Emergency (1<sup>st</sup>)(E)

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

<b>Roll Call:</b>	7 Ayes	0 Nays	Motion Carried
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The Clerk read as directed.

Motion to approve the ordinance on first reading was moved by Soucy, seconded by Peterson.

Norenberg said one of the last public works projects brought before Council each year is one that requires general pavement maintenance, which has been referred to in the attached staff report as crack sealant.

Following a brief discussion pertaining to other competitive bid offers, Council heard a motion to suspend the rules requiring three readings and to elevate Ordinance No. 13-60 to emergency for the reasons stated in Section 3 from Mr. Broadwell, which was seconded by Mucciolo.

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

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

**5. OTHER NEW BUSINESS:** None

Rimbert announced that at the end of the meeting Council will adjourn to executive session. He asked that if there were any comments to come before Council this would be the time to address Council. He emphasized that Council would not adjourn back into session.

## 6. COUNCIL COMMUNICATIONS:

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

### Burges provided the following updates on the Ohio Municipal League (OML) Annual Conference

- **House Bill 5:** a bill that is meant to standardize tax collections in the State of Ohio. It has gotten quite a bit of pushback from communities in that it would both reduce the ability for municipalities to collect money and it would take that right of taxation from the communities and give it to the State. Having been awarded home rule responsibilities, any erosion of our local control needs to be scrutinized.
- **House Bill 203:** An alarming bill that is also known as the “Stand Your Ground Law”. It is the same piece of law that allowed the Trayvon Martin tragedy in Florida to take place. The Ohio Law looks to be modeled on the existing Florida law. Right now an individual under the castle doctrine has a right to defend his or her home or car. House Bill 203 would extend that right to wherever an individual might be. The individual wouldn’t have a responsibility to avoid the conflict before engaging. It would allow them to immediately engage with a gun, if they feel that their life is threatened. There are a number of cities across Ohio, starting around August of this year, that began passing a resolution where the City would indicate its disagreement with HB 203 as it stands now. There is a collaborative effort with communities around Ohio in opposition to HB 203. Following remarks, a copy of the proposed resolution in opposition to HB 203 was presented to Council for further consideration of supporting the resolution.
- **Wrap Up.** Burgess noted that his ultimate take away from the OML conference was that cities have not seen a drastic improvement in economic conditions. It is difficult to try to continue funding essential government services while maintaining these basic services. The State seems intent on collecting revenue and providing those services. One of his take away quotes from one of the presenters at the conference is that “The government that governs least governs best.” and this is accomplished by starving the government of money, which is exactly what they are doing. He further noted that Oberlin’s expenses exceeds its revenue by about \$850,000 to \$1 million dollars and they are not alone in this situation.

### Proclamation– Listen to Your Child Week

Meadows read a Proclamation in honor of Ruby Nell Wolfe Jones for the founding of “Listen to Your Child Week” which will be observed from October 25<sup>th</sup> – 31<sup>st</sup>.

Soucy:

- Expressed her appreciation to Rosie Craig who was brought to our community by Linda Slocum. Members of the community were able to meet with her at Peace Community Church. Oberlin citizenry in attendance were very well informed about the legislation situation in the State and what the City’s options might be as they continue to wrestle with gun laws.
- Reported that Oberlin College has decided to expand their heating plant and to redesign it in order to accommodate natural gas, boilers; which will eliminate the College as a coal burner.
- Recognized the College for the mowing that it had done around town.

## 7. CITY MANAGER’S REPORT:

Norenberg updated Council on the following:

- City Mobile Application
- Company who did the videos highlighting the Oberlin Community three years ago is interested in doing it again. This was free to the City and supported by local advertisers.
- Partnership through the Ohio State University Extension Program
  - First Impressions Pilot Program
- ICMA Conference in Boston
  - Video: the National Kick Off for the Life, Well Run Campaign.
    - Highlights the benefit of professional management.

#### **8. FINANCE DIRECTOR'S REPORT: None**

- November 5<sup>th</sup> Elections
  - Income Tax Levy is on the ballot
    - League of Women Voters' presentation on the 15<sup>th</sup> of October at the library on the issue. Provided a one page summary.
    - He will also attend Candidates Night to discuss the issue.

#### **9. PUBLIC PARTICIPATION:**

##### More vermin and Gun Control

Tony Mealy, S Professor Street notified Council that he had captured yet another vermin. This time it was a raccoon. He also provided a recommendation on the guns issue in city parks. He proposed that a new resolution should direct that these petitions that delineate between a rural and urban area. In the rural areas people are allowed to carry their weapons and hunt vermin. Furthermore he urged Council to take a stand again and make it rather specific that we are looking for the governor and the General Assembly to come up with stronger Gun Control laws.

##### League of Women Voters

Linda Slocum League of Women Voters said that she wanted to make a date correction from Mr. Talarico's report.

- The issue's night is on Tuesday, October 22<sup>nd</sup> which is when he has been asked to speak on the levy.
- The candidate's night is on October 15<sup>th</sup> and on that evening they have requested that something be at a table regarding the Levy on the ballot.

##### Morris Jones, 281 Lincoln Street

Jones commented on an ongoing issue that he has been having with his neighbor which began three (3) years ago as a result of property alterations that were completed on his neighbor's property which violates City code. He alleged that the alterations have created issues in his yard and surrounding neighbor's yards. He remarked that he had been living on his property for over 50 years and this has not been an issue. He asked for assistance from City officials stating that he would like to see something done to ensure that these properties are repaired.

Rimbert asked the City Manager how they should proceed at this time.

The City Manager remarked that he would continue to consult with the Law Director, who has requested additional information. They should be able to follow up with Mr. Jones in a couple of days. Clark concurred.

