

# Oberlin

85 South Main Street, Oberlin Ohio 44074  
OBERLIN CITY COUNCIL MEETING

Meeting Place: Council Chambers, 85 S. Main Street  
Dates: 1st & 3rd Mondays  
Time: 7:30 p.m.

PETERSON SOUCY RIMBERT GARDNER TYREE SANDBERG WAITE

Dan Gardner: President of Council  
Everett Tyree, Vice-President of Council  
Robert DiSpirito: City Manager  
Eric Severs: Law Director  
Salvatore Talarico: Finance Director  
Eugene "Jean" F. Simon: Clerk of Council

**AGENDA: December 19, 2005**

CITY COUNCIL EXECUTIVE SESSION – 6:30 P.M. – COUNCIL  
CHAMBERS  
RE: PERSONNEL – LAW DIRECTOR, FINANCE DIRECTOR AND  
CITY MANAGER COMPENSATION

1. COUNCIL BUSINESS:
  - (a) Call Meeting to Order and Roll Call – 7:30 p.m.
  - (b) Approval of Regular City Council Minutes – November 21, 2005
  - (c) Motion adding a property to the City's Historic Landmark List – Jane Blodgett, Historic Preservation Commission –23 South Prospect Street
  - (d) Commissions, Boards and Committees Appointments Years

Resource Recovery Committee-	Elizabeth Rumics	12/31/2008	(3)
Planning Commission-	Geof Comings	12/31/2008	(3)
Zoning Board of Appeals-	Marion J. Campbell	12/31/2008	(3)
Historic Preservation Commission-	Carol H. Ganzel	12/31/2008	(3)
MBE Advisory Committee-	George Abram	12/31/2008	(3)
Civil Service Commission-	Glory D. Holt	12/31/2008	(3)
Recreation Commission-	Jaquita Willis	12/31/2008	(3)
Human Relations Commission-	Phyllis Yarber Hogan	12/31/2008	(3)

Senior Center-	Roger Cooper	12/31/2007	(2)
Design Review Subcommittee-	Richard Gallagher	12/31/2006	(1)
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(e) Motion referring a request to the Planning Commission to re-zone approximately 48 acres on State Route 20 from R1-A to Planned Development (PD) for review and report

(f) Appointment to the Firemen’s Dependents Board – Everett Tyree and Reappointment of Charles Peterson

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

3. OLD BUSINESS:

(A) ORDINANCE NO. 05-83 AC CMS – AN ORDINANCE REZONING APPROXIMATELY 9.987 ACRES OF PROPERTY LOCATED ON SOUTHWEST CORNER OF ROUTE 20 AND ROUTE 58 IN THE CITY OF OBERLIN FROM “R1-A”/SINGLE-FAMILY DWELLING DISTRICT TO “C-2”/GENERAL-BUSINESS DISTRICT USE (3<sup>rd</sup>)

(B) ORDINANCE NO. 05-87 AC CMS – AN ORDINANCE TO APPROPRIATE MONIES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR 2006 AND DECLARING AN EMERGENCY (2<sup>nd</sup>)(E)

(C) ORDINANCE NO. 05-88 AC CMS – AN ORDINANCE APPROVING THE EAST COLLEGE STREET ECONOMIC DEVELOPMENT PLAN AND DECLARING AN EMERGENCY (2<sup>nd</sup>)(E)

(D) ORDINANCE NO. 05-89 AC CMS – AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH SUSTAINABLE COMMUNITY ASSOCIATES LTD. PROVIDING FOR THE DEVELOPMENT OF CERTAIN PROPERTY LOCATED IN THE DOWNTOWN AREA AND PROVIDING FOR CONSTRUCTION OF RELATED PUBLIC IMPROVEMENTS, AND DECLARING AN EMERGENCY (2<sup>nd</sup>)(E)

- (E) ORDINANCE NO. 05-90 AC CMS – AN ORDINANCE ESTABLISHING AN INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO PARCELS OF PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCENTIVE EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, APPROVING THE COMPENSATION AGREEMENT WITH OBERLIN CITY SCHOOL DISTRICT, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTION 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY (2<sup>nd</sup>)(E)
- (F) ORDINANCE NO. 05-96 AC CMS – AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE ONE OR MORE LONG TERM POWER PURCHASE SCHEDULES WITH AMERICAN MUNICIPAL POWER – OHIO, INC., (“AMP-OHIO”) IN ORDER TO PURCHASE FROM AMP-OHIO AND ASSOCIATED ENERGY AVAILABLE TO AMP-OHIO FROM ONE OR MORE LONG TERM POWER SUPPLY TRANSACTIONS TO BEGIN DELIVERY ON OR AFTER JANUARY 1, 2006 AND ENDING NO LATER THAN DECEMBER 31, 2012 WITH ONE OR MORE REPUTABLE THIRD PARTY POWER SUPPLIERS AND DECLARING AN EMERGENCY 2<sup>nd</sup>)(E)
- 4. NEW BUSINESS:
  - (A) ORDINANCE NO. 05-97 AC CMS – AN ORDINANCE ASSESSING THE COST FOR ABATING NUISANCE CAUSED BY NON-COMPLIANCE WITH SECTIONS 106.3, 109.2 AND 302.4 OF THE PROPERTY MAINTENANCE CODE OF THE CITY OF OBERLIN AND SECTION 715.261 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY (1<sup>st</sup>)(E)
  - (B) ORDINANCE NO. 05-98 AC CMS – – AN ORDINANCE APPROVING AN AGREEMENT WITH BFI SERVICES GROUP, INC., FOR TREATMENT AND DISPOSAL OF LEACHATE FROM LORAIN COUNTY LANDFILL NO. 1 (1<sup>st</sup>)
  - (C) ORDINANCE NO. 05-99 AC CMS – AN ORDINANCE AMENDING ORDINANCE NO. 04-77 AC CMS, THE 2005 ANNUAL APPROPRIATION ORDINANCE TO PROVIDE FOR THE APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (1<sup>st</sup>)(E)
  - (D) ORDINANCE NO. 05-100 AC CMS – AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH SMITH’S PAVING AND EXCAVATING OF NORWALK, OHIO FOR THE CONSTRUCTION AND REPAIR OF SIDEWALKS AND DECLARING AN EMERGENCY (1<sup>st</sup>)(E)

- (E) RESOLUTION NO. R05-24 CMS – A RESOLUTION AUTHORIZING AND DIRECTING THE LAW DIRECTOR TO FILE A COMPLAINT IN LORAIN COUNTY COMMON PLEAS COURT REQUESTING A PERMANENT INJUNCTION AGAINST JEFFERY PERRY, A SEXUALLY ORIENTED OFFENDER, IN ORDER TO ENFORCE SECTION 2905.031 OF THE OHIO REVISED CODE (1<sup>st</sup>)(E)
- 5. OTHER NEW BUSINESS
  - (a) Motion authorizing the expenditure of up to an additional \$20,000 for legal expenses for Squire, Sanders & Dempsey to assist the Law Director in a proposed Tax Increment Finance project
- 6. COUNCIL COMMUNICATIONS:
  - (a) Referrals
  - (b) Advocacy
  - (c) Correspondence
  - (d) Reports
- 7. CITY MANAGER'S REPORT
- 8. FINANCE DIRECTOR'S REPORT
- 9. PUBLIC PARTICIPATION
- 10. ADJOURNMENT:\_\_\_\_\_