

**THE CITY OF KENT, OHIO  
REGULAR COUNCIL MEETING  
WED., OCTOBER 17, 2007**

This regular meeting of Kent City Council was called to order by President Pro Tem, Wayne Wilson, in the absence of John Fender, Mayor & President of Council, at 7:30 p.m., on Wed., Oct. 17, 2007.

**PRESENT:** MR. BARGERSTOCK, MR. DELEONE, MS. GAVRILOFF, MR. HAWKSLEY, MR. KUHAR, MS. OSWITCH, MR. SCHULTZ (ARR, @ 7:41 P.M.), AND MR. WILSON

**ALSO PRESENT:** D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; AND S. CHESTNUTWOOD, ACTING CLERK OF COUNCIL

**ABSENT:** J. FENDER, MAYOR  
MR. FERRARA, COUNCIL  
L. COPLEY, CLERK OF COUNCIL

**MOTION TO EXCUSE MAYOR FENDER & MR. FERRARA.**

Motion made by Ms. Gavriloff, seconded by Ms. Oswitch, and carried by a voice vote of 7-0.

Pro Tem Wilson called upon Mr. Kuhar for opening remarks at this time.

Mr. Kuhar said if they look around, Kent has looked nice and has had positive things happening. He said the attendance at this meeting was positive, as were the Adopt-A-Spots and the event with the Clydesdale Horses. He said there has been remodeling downtown, adding he hoped they could keep the momentum going. Following his opening remarks, he led those present in the Pledge of Allegiance.

**MOTION TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING OF SEPT. 19, 2007.**

Motion made by Mr. Kuhar, seconded by Mr. Hawksley, and carried by a voice vote of 7-0.

Pro Tem Wilson called for audience comment at this time. He reminded those wishing to speak to sign up with the Acting Clerk.

**John:** John said as he went past the University on the first day of school. He said the University decided to paint crosswalks on the first day, congesting traffic worse than what it was. He said that near the Stadium, they were doing work, and cut the parking in half for the students.

John said when he first moved to the west side of Kent, the crosswalks would be painted in August, followed by chip and seal coats to the road. He said they would then repaint the crosswalks. John said that has not happened since they have Gene Roberts. He said the University would be better if they also had someone like Gene Roberts.

John led a round of applause for Mr. Roberts at this time.

**Doug:** Doug said Main Street would be giving a report in November. He said he wanted to thank Council for their support of Main Street, and for the help they have received from Mary Gilbert. He said Ms. Gilbert has done a wonderful job, and manages about forty volunteers. He said it is a huge undertaking, and she is doing it with energy and grace. Doug said they are lucky to have Ms. Gilbert as an employee, and she will be a tremendous loss to the Main Street program, when her contract ends in two years. He thanked Council again.

Hearing no further audience comment, Pro Tem Wilson called upon The Acting Clerk for the written correspondence.

The Acting Clerk reported that an email from Council member Bargerstock, in response to an email from the City Manager, was received on Sept. 21, 2007, regarding Mr. Bargerstock's public record request. She said that Council member Bargerstock sent this email to all other members of Council the same day.

The Acting Clerk reported that carbon copies of emails from Gregg Vilks, Kent Hotel, LLC, to the Law Director, were received, following up on his public records request. She said these emails were received on Sept. 25, Oct. 3, Oct. 8, 2007, and Oct. 11, 2007; with all forwarded to the Mayor and members of Council on the same day they were received. The Acting Clerk said that Mr. Silver's response to these emails, on Oct. 8, 2007, was received and forwarded to all members of Council on the same day.

The Acting Clerk reported that an email was received on Oct. 3, 2007 from Andrew Lombardo, CEO of Right Dimensions with a letter to Council, asking the City's intention regarding his property. She said that this email was forwarded to all members of Council on Oct. 3, 2007.

The Acting Clerk reported that an email was received on Oct. 3, 2007 from Council member Kuhar regarding the issue of signs in the right-of-way, with his suggestions on how to clarify what is litter and what is rubbish. She said that this email was forwarded to all members of Council on Oct. 3, 2007.

The Acting Clerk reported that an email was received on Oct. 10, 2007 from Andrew Lombardo, CEO of Right Dimensions with his thoughts on the Kent 360 blog. She said that this email was forwarded to all members of Council on Oct. 10, 2007.

The Acting Clerk reported that emails between Gregg Vilks, Kent Hotel, LLC and Gene Roberts, Service Director, were carbon copied to Council regarding exterior work on the building. She said that emails were received from Mr. Vilks on Sept. 27, Sept. 28, and Oct. 10, with Mr. Roberts' response on Sept. 28, 2007. The Acting Clerk said that all emails were previously forwarded to all members of Council on the dates received.

The Acting Clerk reported that after the agenda was printed, a letter of resignation was received from Charlie Thomas, advising that he was resigning from the Parking Action Committee, effective Jan. 1, 2008.

The Acting Clerk reported that a certified letter was received on Oct. 15, 2007, from Drew Smith of E. College Avenue, expressing concern with the handling of a recent case of vandalism at his residence.

The Acting Clerk reported that earlier in the evening, minutes of the Standing Rock Cemetery Board of Trustees meeting of September 13, 2007 were placed on file by Council's representative, Mr. DeLeone,

**MOTION TO ACCEPT THE RESIGNATION OF CHARLIE THOMAS, AND AUTHORIZING A LETTER OF THANKS FOR HIS SERVICE.**

Motion made by Mr. Bargerstock, seconded by Ms. Gavrilloff, and carried by a voice vote of 7-0.

Hearing no further written correspondence, Pro Tem Wilson called upon the City Manager for his report.

**MOTION TO APPROVE ITEMS #1 THROUGH #4**

Motion made by Ms. Gavrilloff, seconded by Ms. Oswitch, and carried by a voice vote of 7-0.

The following items were approved by the aforementioned motion:

- 1) Authorization of Resolution (Draft No. 7-106) authorizing staff to submit an application for Issue II funding for the Harold Stinaff Storm Sewer project, with the emergency clause
- 2) Agenda time, Community Development Committee, November 7<sup>th</sup>, review/discuss staff's evaluation of trash hauling options within the City
- 3) Agenda time, Finance Committee, November 7<sup>th</sup>, draft 2008-09 City budget.
- 4) Council's approval to change Council's November schedule to avoid conflicts with the Thanksgiving holiday Committees to meet November 7<sup>th</sup>, 2007 Regular Council to meet November 14<sup>th</sup> 2007.

**MOTION TO APPROVE ITEM #5.**

Motion made by Ms. Oswitch, seconded by Mr. Kuhar, and carried by a voice vote of 6-0-1, with Ms. Gavrilloff abstaining.

The following item was approved by the aforementioned motion:

- 1) Authorization to re-allocate \$500.00 from contingency to provide food for Public Safety forces working the night of downtown Halloween festivities.

City Manager Ruller thanked the Adopt-A-Spot volunteers for all they did. He said it was a great growing season. He thanked Cindy, the staff person, who kept the flowers healthy throughout the summer.

**COMMUNITY DEVELOPMENT COMMITTEE**

**MOTION TO APPROVE THE ORAL REPORT OF OCT. 3, 2007 AND THE RECOMMENDED ACTIONS.**

Motion made by Ms. Oswitch, seconded by Mr. DeLeone, and carried by a voice vote of 7-0.

The following actions were approved by the aforementioned motion:

- 1) To refer the International Property Maintenance Code to the Administration to review issues identified
- 2) To authorize the EDA annual report, with the emergency clause
- 3) To reschedule committee discussion on rental issues, specifically revocation of license, utilities, and voluntary deeds.

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-108 by title only at this time.

**A RESOLUTION CERTIFYING THAT THE CITY'S REVOLVING LOAN PLAN IS CONSISTENT WITH AND SUPPORTIVE OF THE AREA'S ECONOMIC DEVELOPMENT ADJUSTMENT STRATEGY AND IS BEING OPERATED IN ACCORDANCE WITH THE POLICIES AND PROCEDURES CONTAINED IN THE REVOLVING LOAN PLAN AND THAT THE LOAN PORTFOLIO MEETS THE STANDARDS CONTAINED WITHIN SAID PLAN AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Wilson. Mr. Bargerstock abstained. Suspension failed a roll call vote of 6-0-1.

**MOTION TO APPROVE FIRST READING**

Motion made by Ms. Gavriloff, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Wilson. Mr. Bargerstock abstained. The motion carried by a roll call vote of 6-0-1.

**FINANCE COMMITTEE**

**MOTION TO APPROVE THE ORAL REPORT OF OCT. 3, 2007 AND THE RECOMMENDED ACTIONS.**

Motion made by Mr. DeLeone, seconded by Mr. Hawksley, and carried by a voice vote of 7-0.

The following actions were approved by the aforementioned motion:

- 1) To authorize the lease for 201 E. Summit Street with Mario Morelos, dba Localingua, with the emergency clause.
- 2) To authorize the Five-Year Capital Improvement Plan
- 3) To authorize renewal of the lease with Kent City Schools for parking in the West River neighborhood to the Parking Action Committee for their review and recommendation
- 4) Discussion was held on merit pay policy; no action recommended

President Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-109 by title only at this time.

**AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE AGREEMENT WITH MARIO MORELOS dba LOCALINGUA FOR PROPERTY LOCATED AT 201 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Ms. Gavriloff.

Roll call was taken on the motion. Voting aye: Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Wilson, Mr. Bargerstock, and Mr. DeLeone. The motion carried by a roll call vote of 7-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Ms. Oswitch, seconded by Ms. Gavriloff.

Roll call was taken on the motion. Voting aye: Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Wilson, Mr. Bargerstock, and Mr. DeLeone. The motion carried by a roll call vote of 7-0.

**2007-96: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE AGREEMENT WITH MARIO MORELOS dba LOCALINGUA FOR PROPERTY LOCATED AT 201 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.**

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Sheri Chestnutwood, Acting Clerk of Council

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Wayne A. Wilson, President Pro Tem

Pro Tem Wilson asked The Acting Clerk to read Draft No. 07-113 by title only at this time.

**AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING A TOTAL OF 11.88 ACRES OF UNIMPROVED REAL PROPERTY FROM CROOKED RIVER LAND COMPANY FOR \$125,000.00 AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS.**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Ms. Gavriloff, Mr. Hawksley, Ms. Oswitch, Mr. Wilson, Mr. Bargerstock, and Mr. DeLeone. Mr. Kuhar dissented. Suspension failed a roll call vote of 6-1.

**MOTION TO APPROVE FIRST READING.**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley

Roll call was taken on the motion. Voting aye: Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone. Mr. Kuhar dissented. The motion carried by a roll call vote of 6-1.

**HEALTH & SAFETY COMMITTEE**

**MOTION TO APPROVE THE ORAL REPORT OF OCT. 3, 2007 AND THE RECOMMENDED ACTIONS.**

Motion made by Mr. Kuhar, seconded by Mr. Hawksley, and carried by a voice vote of 8-0.

The following actions were approved by the aforementioned motion:

- A.) To authorize the Portage County Pre-Disaster Mitigation Plan, with the emergency clause included
- B) To rescind the criminal nuisance odor ordinance (§521.09); referring the issue of nuisance odor violations and complaints to the Administration

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-110 by title only at this time.

**A RESOLUTION ADOPTING THE EMERGENCY MITIGATION PLAN FOR NATURAL DISASTERS.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, and Ms. Gavriloff. The motion carried by a roll call vote of 8-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Ms. Oswitch, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, and Ms. Gavriloff. The motion carried by a roll call vote of 8-0.

**2007-97: A RESOLUTION ADOPTING THE EMERGENCY MITIGATION PLAN FOR NATURAL DISASTERS.**

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Sheri Chestnutwood, Acting Clerk of Council

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Wayne A. Wilson, President Pro Tem

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-111 by title only at this time.

**AN ORDINANCE REPEALING THE CITY OF KENT CODIFIED ORDINANCE KNOWN AS SECTION 521.09 "NOXIOUS OR OFFENSIVE ODORS", AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff and Mr. Hawksley. The motion carried by a roll call vote of 8-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff and Mr. Hawksley. The motion carried by a roll call vote of 8-0.

**2007-98: AN ORDINANCE REPEALING THE CITY OF KENT CODIFIED ORDINANCE KNOWN AS SECTION 521.09 “NOXIOUS OR OFFENSIVE ODORS”, AND DECLARING AN EMERGENCY.**

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Sheri Chestnutwood, Acting Clerk of Council

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Wayne A. Wilson, President Pro Tem

**STREETS, SIDEWALKS & UTILITIES COMMITTEE**

**MOTION TO APPROVE THE ORAL REPORT OF OCT. 3, 2007 AND THE RECOMMENDED ACTION, TO AUTHORIZE THE LAW DIRECTOR TO MOVE VIOLATIONS FOR THE PLACEMENT OF SIGNS IN THE PUBLIC RIGHT-OF-WAY TO ANOTHER SECTION OF THE CODE THAT HE BELIEVES IS APPROPRIATE; REMOVING THE CRIMINAL ASPECT.**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley, and carried by a voice vote of 8-0.

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-106 by title only at this time.

**A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION FOR ISSUE II FINANCING FOR ROUND 22 AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO AGREE TO PARTICIPATE IN FUNDING OF ITS LOCAL SHARE FOR THE SUBJECT ISSUE II PROJECT AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Ms. Oswitch, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

**2007-101: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION FOR ISSUE II FINANCING FOR ROUND 22 AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO AGREE TO PARTICIPATE IN FUNDING OF ITS LOCAL SHARE FOR THE SUBJECT ISSUE II PROJECT AND DECLARING AN EMERGENCY.**

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Sheri Chestnutwood, Acting Clerk of Council

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Wayne A. Wilson, President Pro Tem

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-107 by title only at this time.

**A RESOLUTION DECLARING IT NECESSARY TO IMPROVE OVERBROOK DRIVE, BRENTWOOD DRIVE, LAUREL DRIVE AND CHELTON DRIVE, BETWEEN CERTAIN TERMINI, BY THE CONSTRUCTION OF STORM SEWERS, CATCH BASINS, DRIVEWAY APPROACHES, ROADSIDE DITCHES AND ROOF DRAIN PIPES (LATERAL), TOGETHER WITH THE NECESSARY APPURTENANCES THERETO AND RELATED RESTORATION, SEEDING AND MULCHING, AND REPLACEMENT OF EXISTING DRIVEWAY APPROACHES, AS NECESSARY, AND RELATED IMPROVEMENTS.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, Mr. Kuhar, and Ms. Oswitch. The motion carried by a roll call vote of 8-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Ms. Oswitch, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, Mr. Kuhar, and Ms. Oswitch. The motion carried by a roll call vote of 8-0.

**2007-99: A RESOLUTION DECLARING IT NECESSARY TO IMPROVE OVERBROOK DRIVE, BRENTWOOD DRIVE, LAUREL DRIVE AND CHELTON DRIVE, BETWEEN CERTAIN TERMINI, BY THE CONSTRUCTION OF STORM SEWERS, CATCH BASINS, DRIVEWAY APPROACHES, ROADSIDE DITCHES AND ROOF DRAIN PIPES (LATERAL), TOGETHER WITH THE NECESSARY APPURTENANCES THERETO AND RELATED RESTORATION, SEEDING AND MULCHING, AND REPLACEMENT OF EXISTING DRIVEWAY APPROACHES, AS NECESSARY, AND RELATED IMPROVEMENTS.**

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Linda M. Copley, Clerk of Council

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Wayne A. Wilson, President Pro Tem

Pro Tem Wilson asked the Acting Clerk to read Draft No. 07-112 by title only at this time.

**AN ORDINANCE AMENDING THE CITY OF KENT CODIFIED ORDINANCE KNOWN AS SECTION 503.02 “ADVERTISING ON PUBLIC PROPERTY”, AND DECLARING AN EMERGENCY.**

**MOTION TO SUSPEND THE THREE READINGS**

Motion made by Ms. Oswitch, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, and Mr. Schultz. The motion carried by a roll call vote of 8-0.

**MOTION TO ADOPT THE DRAFT ORDINANCE**

Motion made by Mr. Hawksley, seconded by Ms. Oswitch.

Roll call was taken on the motion. Voting aye: Mr. Bargerstock, Mr. DeLeone, Ms. Gavrilloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, and Mr. Schultz. Mr. Wilson dissented. The motion carried by a roll call vote of 7-1.

**2007-100: AN ORDINANCE AMENDING THE CITY OF KENT CODIFIED ORDINANCE KNOWN AS SECTION 503.02 “ADVERTISING ON PUBLIC PROPERTY”, AND DECLARING AN EMERGENCY.**

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Sheri Chestnutwood, Acting Clerk of Council

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Wayne A. Wilson, President Pro Tem

**SPECIAL COMMITTEE REPORTS** None

**UNFINISHED BUSINESS** None

## **NEW BUSINESS**

### **MOTION TO APPROVE FUNDS FOR THE ANNUAL TOWN/GOWN DINNER ON OCT. 23, 2007 IN THE APPROXIMATE AMOUNT OF \$880.00.**

Motion made by Ms. Gavriloff, seconded by Ms. Oswitch, and carried by a voice vote of 8-0.

Ms. Oswitch said there are three items in her committee that she would like to remove.

### **MOTION TO REMOVE THE PENDING ITEM DEALING WITH THE "SHARE THE ROAD" SIGNS.**

Motion made by Ms. Oswitch, seconded by Mr. Bargerstock.

Ms. Oswitch said the City Manager gave them information previously that this was discussed with the Traffic Safety & Engineering Committee. She said they recommended the generic "Bike Route" signs be used, with these signs being placed in critical areas of routes as they are developed.

Mr. Hawksley asked they retain it on the list, as the entire purpose for placing it in Committee was not "caught by someone". He said the intention was to not mark bike routes, but to warn automobilers and truckers about areas with a lot of cyclists. He said that Hudson Road and Lake Street are both being used, which was the original reason for his referral.

The motion carried by a voice vote.

### **MOTION TO REMOVE THE CONTINUED REVIEW ON THE RIVERBEND TRAFFIC SIGNAL.**

Motion made by Ms. Oswitch, seconded by Ms. Gavriloff.

Ms. Oswitch said that the staff has met with the Riverbend homeowners. She said a new plan has been established with criteria for new signals, and this plan was reviewed with the homeowners. She said the staff has recommended removal of the item.

The motion carried by a voice vote of 8-0.

### **MOTION TO REMOVE THE RENAMING OF ADMORE DRIVE TO STONEWATER DRIVE.**

Motion made by Ms. Oswitch, seconded by Mr. Bargerstock.

Ms. Oswitch said that since Don Joseph has purchased the property, they can move forward with the name change.

The motion carried by a voice vote of 8-0.

Mr. Hawksley said he has been working with the Clerk about a reception to thanking volunteers on their boards and commissions.

### **MOTION TO AUTHORIZE \$300 FOR THE RECEPTION FOR AN APPRECIATION RECEPTION FOR THE VOLUNTEERS ON BOARDS AND COMMISSIONS TO BE HELD IN DECEMBER.**

Motion made by Mr. Hawksley, seconded by Mr. DeLeone.

Mr. Hawksley said they have a lot of people who put in a lot of time, and they rarely thank them until they leave. He said that the Mayor could give a presentation, and thank them for their support.

Ms. Oswitch asked if the money is in the budget, and Mr. Hawksley said they have the money.

The motion carried by a voice vote of 8-0.

### **MOTION TO REQUEST THE ADMINISTRATION RETURN WITH INFORMATION ON THE ACQUISITION OF HEARING APPLIANCES FOR COUNCIL CHAMBERS.**

Motion made by Mr. Hawksley, seconded by Mr. DeLeone.

Mr. Hawksley said they can get wireless receivers for those who cannot hear what is going on in Council Chambers. He said it is not very costly, relative to the benefit. He said a lot of people have complained.

Mr. Wilson pointed out there is one in the cabinet. Mr. Hawksley suggested they get it working.

Ms. Gavrilloff said her son uses one of those aids. She said she did not know if they needed better speakers. She suggested they review it.

Mr. DeLeone agreed, adding it may be the microphones.

Mr. Hawksley said if they have them and they work, they should let people know. He asked they give the administration the charge to evaluate it. He restated his original motion at this time.

**MOTION TO AMEND TO ASK THE ADMINISTRATION TO REVIEW WHAT THEY HAVE AND WHAT THEY CAN DO TO MAKE PEOPLE AWARE THAT THEY ARE AVAILABLE.**

Motion made by Mr. Kuhar, seconded by Mr. Bargerstock, and carried by a voice vote of 8-0.

The original motion carried, as amended, by a voice vote of 8-0.

**MOTION TO ASK THE ADMINISTRATION TO REVIEW RHODES ROAD, BETWEEN CITY LIMITS AND FRANKLIN TOWNSHIP, AS IT IS DANGEROUS FOR PEDESTRIANS; AND TO COORDINATE ANYTHING THEY DO WITH FRANKLIN TOWNSHIP.**

Motion made by Mr. Kuhar, seconded by Mr. Schultz.

Mr. Kuhar said there is a stretch of about 250 feet that are dangerous.

**MOTION TO AMEND TO INCLUDE UNIVERSITY INVOLVEMENT.**

Motion made by Ms. Oswitch, seconded by Ms. Gavrilloff.

Mr. Hawksley said they have discussed this for years, and need to do something as it is dangerous.

The amendment carried by a voice vote of 8-0.

The original motion carried, as amended, by a voice vote of 8-0.

**MOTION TO SCHEDULE A SPECIAL COUNCIL MEETING ON OCT. 24 FOR DRAFT NOS. 07-108 AND 07-113.**

Motion made by Ms. Gavrilloff, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

Mr. Bargerstock said they received a letter earlier from someone in his ward. He said he was unsure if they were questioning the way the Police Department handled the situation. He said it was dated Oct. 10 and came from Drew Smith on College Ave.

Mr. Lillich said the Police Department was reviewing the situation. He said the biggest issue he saw, as he reviewed the letter, is what was perceived to be an inadequate response by the Police. He said the police were not notified of the incident for more than seven hours after it occurred. He said despite that, they are moving forward with their investigation.

Mr. Bargerstock said the letter was addressed to Council, but he was unsure what they were requesting. Mr. Lillich said they were asking for a total, complete investigation that concludes with the prosecution of an individual. He said a more timely call may have helped them.

Mr. Kuhar said the Adopt A Spot did a beautiful job. He said a few people questioned why the flower bed was not done in front of the old hotel, as it would have made it look nice. He suggested they remember that location the following year.

**MOTION TO ADJOURN THIS MEETING.**

Motion made by Mr. Kuhar, seconded by Ms. Gavrilloff, and carried by a voice vote of 8-0.

Hearing no further business before this Council, President Pro Tem Wilson adjourned this meeting at 7:50 p.m.