

Council met in special session with the following persons present: Mayor Richard Zink, Safety-Service Director Ralph Holt, Auditor Gary Lewis and Clerk Beverly Brown.

President Richard Donley called the meeting to order at 5:30 p.m. at 130 Homestead Avenue in the Municipal Court Room.

**ROLL CALL:**

Present: Mr. Lee Koogler, Mr. John Levo, Mrs. Bonnie Parr, Mmr. David Shoemaker, Mr. Charles Walker, Mr. Tim Young

Absent: Mr. Brian Waller

Mr. Walker made a motion to excuse Mr. Waller. Mr. Young seconded the motion and all members voted yea.

Mr. Lewis offered prayer followed by Mayor Zink leading in the "Pledge of Allegiance".

Mr. Koogler explained that Resolution 07-41 was a resolution introduced by the Finance Committee in regards to the acquisition of the Union Stockyard property known as the parking lot. He said there were several lots that combined into roughly a two acre parcel. The price that has been negotiated with Bill and Janet Butler is \$325,000. He said the intent was that this would be the location for the Fire Department and he wanted Council to take it to a vote and approve and adopt it.

**Res. 07-41 – A RESOLUTION TO AUTHORIZE AND DIRECT THE MAYOR TO PURCHASE CERTAIN PROPERTY WITHIN THE CITY AND TO DECLARE AN EMERGENCY-** The clerk read the resolution in full for a first reading. Mr. Koogler said that an environmental study had been conducted by Dennis Shope and it determined that there are no known environmental issues in regards to the property. Mr. Lewis has indicated that the city could at this time pay for the property out of the General Fund.

There was discussion on the need for a survey of the property. Mr. Walker made a motion to waive the three-reading rule. Mr. Shoemaker said that he thought the city needed to have a survey of the boundary between this property and the Tissot property. He said that he thought it was only fair to Mr. Tissot to actually have a boundary set up where we know where they are and where we are on that. So he was making a request to have that line surveyed. He said that he had been down there on two or three occasions and he and Mr. Hennison had walked the property and had not been able to find any pins. Mr. Shoemaker asked to have the motion amended to include the need for a survey along Tissot's boundary.

Mr. Beery said, "There may be a point of order on that. The current legislation before Council provides that if Council wishes it that there has to be a survey. Perhaps you want to get that ordinance out of the way and then take up the issue of directing the survey be....."

Mrs. Parr said, "I've just got a few things to say that I think that some of the people that I've talked to pretty much wanted it on record that the property amount was way too much; and that we're going to spend almost \$500,000 for properties and we still don't know for sure what we're going to do with them properties. And when there's other things that really needs to be done, that was their biggest issues on; 'Well we need our streets fixed and we need some, you know, different things that needs to be done around the city and we're putting out all this money for properties.' I just had that to say on behalf of some of the people that I've talked to."

Mr. Young seconded the motion to waive the three-reading rule and all members present voted yea. Mr. Koogler made a motion to approve and adopt and Mr. Walker seconded the motion. Vote as follows: Mrs. Parr, no; Mr. Shoemaker, yes; Mr. Walker, yes; Mr. Young, yes; Mr. Koogler, yes; Mr. Levo, yes.

There was some confusion on what was necessary for passage with the "no" vote. After some further discussion it was determined that there was no problem since the motion to waive had six "yes" votes and the motion to adopt had the one "no" vote. Motion passed.

Mr. Shoemaker made a motion to have a survey done between Tissot's and the Butler property; the Union Stockyard property. Mr. Young seconded the motion and all members present voted yea.

Res. 07-39 – A RESOLUTION TO AUTHORIZE THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion. All members present voted yea. Resolution adopted.

Res. 07-40 – A RESOLUTION TO CONTRACT WITH ROSE EXCAVATING AND DEVELOPMENT INC TO PROCEED WITH THE NORTH WEST STREET DRAINAGE PROJECT AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mrs. Parr seconded the motion. All members present voted yea. Resolution adopted.

With no further items before the assembly, a motion to adjourn was made by Mr. Shoemaker and seconded by Mr. Young. Meeting adjourned.

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Richard Donley, President of Council

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Beverly Brown, Secretary