

**CITY OF BEREA, OHIO**

**MINUTES OF A SPECIAL COUNCIL MEETING  
HELD NOVEMBER 11, 2009**

Council of the City of Berea, Ohio, met in Council Chamber on November 11, 2009, and was called to order at 6:31p.m. by President of Council James J. Brown, with the following members present: Mary K. Brown, George Capellas, Nick Haschka, Margarette S. Key, Dale A. Lange, Jim Maxwell, Dean W. Van Dress. Absent: none. The Pledge of Allegiance followed.

The Clerk's certificate of compliance with C.O. Section 109 and Section 121.22 of the Ohio Revised Code was filed with Council.

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The following Ordinance was read by title for first reading:

**AN ORDINANCE IMPOSING A SIX MONTH MORATORIUM ON THE ISSUANCE OF BUILDING OR OCCUPANCY PERMITS FOR ADULT ENTERTAINMENT BUSINESSES AND SEXUALLY ORIENTED BUSINESSES, AND DECLARING AN EMERGENCY. (11-6)**

At the request of Mr. Van Dress, Mr. Sponseller discussed the purpose of this Ordinance by reminding Council that the City had engaged outside consultants to assist in the updating and re-writing of the City's Zoning Code. It has not been updated in decades. However, over the period of a number of years under the prior administration, it had been discussed that the City needed to address adult oriented businesses, adult entertainment establishments, etc.

Moved by Van Dress, seconded by Haschka to add as an attachment items 1-17 and 22 thru 25 listed in the Findings document referenced in the legislation. Vote on the motion was ayes: Brown, Capellas, Haschka, Key, Lange, Maxwell, Van Dress. Nays: none. The motion carried

Moved by Haschka, seconded by Lange to suspend the three reading rule. Vote on the motion to suspend was ayes: Brown, Capellas, Haschka, Key, Lange, Maxwell, Van Dress. Nays: none. The motion carried.

Moved by Maxwell, seconded by Van Dress to adopt Ordinance No. 11-6 as amended under suspension of the three reading rule. Vote on the motion to adopt was ayes: Brown, Capellas, Haschka, Key, Lange, Maxwell, Van Dress. Nays: none. The motion carried and Ordinance No. 2009-73 was passed.

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There being no further business to come before Council, moved by Capellas, seconded by Haschka that the meeting be adjourned. Vote on the motion was all ayes and no nays. The motion carried. President of Council Brown declared the meeting adjourned at 6:45 p.m.

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James J. Brown  
President of Council

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Kathleen Russell Olmeda, MMC  
Clerk of Council

CERTIFICATE OF COMPLIANCE

The Special meeting of Council of the City of Berea, Ohio, held on the 11th day of November, 2009, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

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Kathleen Russell Olmeda, MMC  
Clerk of Council