

## Englewood City Council

### Special Session – March 2, 2010

The Englewood City Council met this date at the Englewood Government Center with Mayor Patricia Burnside presiding. The press was notified in advance of this Special Session. Dayton Daily News reporter Doug Page was present.

**COUNCIL MEMBERS PRESENT:** Joe Zumwald, Jim Campise, Judy Gerhard, Thomas Franz, Mike Kline and Marlyn Flee

**CITY STAFF & OFFICIALS PRESENT:** Eric A. Smith, City Manager and Karen Soddors, Clerk of Council.

### **ORDINANCES & RESOLUTIONS**

1. Bill No. 10-2 – (1) AMENDING CERTAIN SECTIONS OF CHAPTER 854 OF THE ENGLEWOOD CODIFIED ORDINANCES, ENTITLED ‘PEDDLERS, VENDORS, CANVASSERS AND CHARITABLE SOLICITATION’; AND (2) DECLARING THE AMENDMENT TO BE AN EMERGENCY AND STATING THE REASONS FOR SUCH DECLARATION (1<sup>ST</sup> reading)

Mrs. Gerhard moved to declare Bill No. 10-2 an emergency and Mr. Zumwald seconded the motion. **VOTE:** Mrs. Burnside, yea; Mr. Franz, yea; Mr. Kline, yea; Mr. Flee, yea; Mr. Zumwald, yea; Mr. Campise, yea; Mrs. Gerhard, yea. Motion approved. Bill No. 10-2 declared an emergency.

Mr. Franz then moved to suspend the rules requiring three readings and pass Bill No. 10-2 on the first reading, to become effective immediately. Mr. Campise seconded the motion.

Mr. Smith reviewed for Council the modifications and implications of the changes proposed in the ordinance to comply with a recent Federal Court ruling, including the proposed fee for a solicitor’s permit. Council members discussed the content of the legislation in detail. Council members were particularly focused on the permit fee. Due to the potential impact on juvenile solicitors, Council agreed to drop the fee substantially.

Mr. Franz moved to table Bill No. 10-2 and Mr. Kline seconded the motion. **VOTE:** Mr. Kline, yea; Mr. Flee, yea; Mr. Zumwald, yea; Mr. Campise, yea; Mrs. Gerhard, yea; Mrs. Burnside, yea; Mr. Franz, yea. Motion approved to table Bill No. 10-2.

Mr. Franz then moved to amend Section 854.06 in Bill No. 10-2 (fees) from \$5.00 per person to \$1.00 per person. Mr. Zumwald seconded the motion. **VOTE:** Mr. Kline, yea; Mr. Flee, yea; Mr. Zumwald, yea; Mr. Campise, yea; Mrs. Gerhard, yea; Mrs. Burnside, yea; Mr. Franz, yea. Motion approved.

Mr. Franz then moved to remove Bill No. 10-2 from the table, as amended, and suspend the rules requiring three readings and pass Bill No. 10-2 on the first reading. Mr. Campise seconded the motion. **VOTE:** Mr. Kline, yea; Mr. Flee, yea; Mr. Zumwald, yea; Mr. Campise, yea; Mrs. Gerhard, yea; Mrs. Burnside, yea; Mr. Franz, yea. Motion approved. Ordinance No. 10-2 passed this date and effective immediately.

### **ADJOURNMENT**

Mrs. Gerhard moved for adjournment and Mr. Flee seconded the motion. **VOTE:** Mrs. Burnside, yea; Mr. Franz, yea; Mr. Kline, yea; Mr. Flee, yea; Mr. Zumwald, yea; Mr. Campise, yea; Mrs. Gerhard, yea. Motion approved. Council adjourned at 8:05 PM.

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Patricia Burnside, Mayor

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Karen Soddors, Clerk of Council