

Part I



4410 W. Streetsboro Rd. • Richfield, OH 44286-0387

Office: 330.659.9201 • www.richfieldvillageohio.org

**RICHFIELD VILLAGE COUNCIL
REGULAR MEETING MINUTES**

**TUESDAY, JANUARY 16, 2018
6:30 p.m.**

ROLL CALL: Domanick, Healey, Hudak, Kahoe, Lanford, Lyons and Wheeler.

OTHERS PRESENT: Mayor Beshara, Police Chief Morgan, Fire Chief McLean, Parks and Recreation Director Jocek, Planning & Zoning and Interim Service Frantz, Finance Director Turk and Law Director Hanna.

APPROVAL OF MINUTES

MOTION: TO APPROVE THE MINUTES OF THE JANUARY 2, 2018, ORGANIZATIONAL AND REGULAR MEETINGS.

Moved by Hudak, seconded by Wheeler. YEA: Domanick, Healey, Hudak, Kahoe, Lyons and Wheeler. ABSTAIN: Lanford.

COMMUNICATIONS AND PETITIONS

Council received an email from the Sikh Coalition, the nation's largest Sikh-American civil rights organizations. The group offered educational resources about Sikhs and the challenges they have faced since 9-11.

MAYOR'S REPORT

Beshara offered condolences to the family of Joyce Remec, who passed away recently. She worked for the village for 26 years.

The mayor commended the service department, as well as the fire and police departments, for their hard work at keeping the roads safe during the recent snowstorms.

She introduced Tony Ramos of NOPEC, who recognized Turk for her hard work and integrity. The mayor had nominated Turk through NOPEC's program of recognizing government officials. Turk received a cooler bag of goodies.

Beshara also swore in new part-time police officers Joel Meister and Timothy McAleese.



DEPARTMENT HEAD REPORTS:

Chief Morgan – Police

Calls for Service

December 2017

Village 1062

Township 218

Report:

Preparations for Safety Town are already underway. The program will be held from June 18 to June 22. As has been the case for the last two years, there will only be a morning session.

Graduation WILL NOT be held the following Monday but most likely will be on June 22. Sign up and volunteer forms are not yet available but will eventually be posted on the Village of Richfield website.

Rachel Alaimo and Scott Dressler will be coordinating the program again this year.

Bios

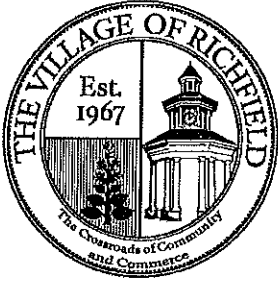
Joel Meister is 2017 graduate of the Polaris Career Center police academy. Joel is beginning his law enforcement career after serving in the United States Navy from 2008-2016. While serving as a Seabee, he was stationed in Mississippi; Washington, D.C.; and India. He was also deployed to the Philippines, Bahrain, Afghanistan, Yemen and Guam.

Timothy (Sonny) McAleese is a graduate of Green High School and the Akron University Police Academy. He has served as a part-time police officer with Peninsula since May 2017. Sonny's father has been a police officer for over 20 years and is highly regarded throughout Summit County.

Chief McLean – Fire

McLean said his department rescued a horse from hypothermia on Broadview Road on Jan. 5. The horse could not stand, and its core temperature was six degrees below normal. The fire department members rigged up a hauling system in the rafters to lift the 35-year-old horse. The chief commended his crew for the rescue.

McLean said his department also assisted with a fire at the old Firestone mansion in Fairlawn. The incident at the abandoned building is under investigation.



Report:

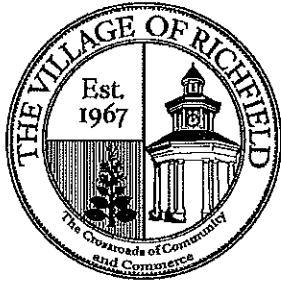
- Calls for the month of December, Twp. EMS 19, Twp. Fire 7, Village EMS 52, Village Fire 25, Mutual Aid given 6, Total for the month 109.
- Our Ice Rescue class is scheduled for 1-27-2018 at 9:00 am at Richfield Woods Park. This is a hands-on drill with victims in the water and ice.
- We held an Officers meeting on 1-16 to go over the budget, training plans for continuing education requirements for Fire, EMS, Inspector and Instructor.
- The Officers and I interviewed Tracy Smartt, who has been working part time in the Service Department office on the Cemetery project. This would be the part-time administrative assistant position for the Fire Department. This was planned for in the 2018 part-time budget.
- We will be sponsoring a training class for National Interstate on risk management on 1-24-18 and a Haz Mat class for Empaco on 1-26-18 at the Fire Department.
- We are working with a business owner on an outdated hood suppression system, to guide them through an update process.
- Monitoring construction projects at GMS, Apple Ridge facility, National Interstate and Nexen. Regular Fire Inspections are ongoing.

Director Jocek - Parks and Recreation

Jocek said the Tree and Landscape Commission would meet on March 5 before the Park Board meeting.

Report:

- The Parks and Recreation Department received a check for a \$500 donation from the Mitsui Foundation. There is a satellite office of Mitsui & Co. in Richfield and their employees participated in our PJ collection and purses for women. The Foundation will then match up to \$500 for the organization.
- Rob Morgan and I are working on the grant(s) for the Carter/Pedigo Trail extension. The



deadline is February 1. Rob is currently working on a Trailways grant and we are also considering Natureworks or Clean Ohio grants.

- We are taking renewals and new applications for the community gardens. Our regular gardeners are chomping at the hoe to get started. If you have the opportunity to pull into Eastwood Preserve you can see the greenhouse that has been erected, and we are hoping to start some seeds by the end of March.
- Our application is in for the Parks and Recreation department to participate in the Silver Sneakers program. We are hoping for confirmation sometime in February. This is a program that comes out of most health insurance programs and they will pay for your participation in fitness classes and workout machines. You must be 65 or older. We are also investigating Fitness Prime. This is part of the Affinity program offered to ages lower than 65 years.

Director Frantz – Planning & Zoning and Service Departments

Frantz said the Service department is working on the expansion of Fairview Cemetery. He is getting quotes for tree clearing. Aldrich is working on the Knopp House project. Jim Fry is interested in moving the structure to his property in Richfield Township.

The Brecksville Road culvert project has been slowed by the weather but is still on track to be completed before the end of the month.

Report:

- 1) We applied for and received the \$125,000 reimbursement from the Development Services Agency for the Kinross Lakes extension project. We will be requesting the \$75,000 reimbursement from the Ohio Department of Transportation once the project is finalized in the spring. I will keep Council apprised of the additional reimbursement.
- 2) At their meeting on January 9th, the Planning Commission took the following actions:
 - a. Approved an addition on the main house structure (32' length, 28.6' width) and an addition on the accessory structure (18' length, 8' width) for the Clay residence located at 4025 Broadview Road;
 - b. Approved an application to erect two new ground signs on the property located at 4515 Streetsboro. The signs (channel letters) will be integrated into decorative brick landscape walls that will serve as the entranceway to the Ashton Village development. Exterior



- flood lights will be used to light the walls; and
- c. Approved a ground monument sign for the Village to be placed in front of Town Hall. The sign will be made from the same materials as those used on Town Hall.

Planning Commission also discussed its 2017 accomplishments and set goals for 2018. Below is information related to both.

2017 Planning Commission Accomplishments
Petros Development - School Rezoning, Ashton Village
Pump Station location - Cleveland Water
Kneader Machinery Development Plan
Inn at Appleridge Development Plan
Everett Pointe Development Plan
GMS Development Plan
Office Lab Amendment - flex space
Mobilitie - small cell tower (9.06 charter referral)
Village Green Lighting
Nexen Tire Development Plan
Briarwood Development Plan - conceptual approval
Deer Creek Trail - replat
Kinross Extension - lighting & landscaping planning
S. Wheatley Architectural design discussions
Timbering - Kirby Date presentation
Multiple Sign & Permit requests

2018 Planning Commission Goals
South Wheatley Road - architectural design/form standards
Briarwood Annexation and Development
Knopp House - relocation
Columbia Road/Brecksville Road - traffic forecast
Access Management Plan (curb cuts)
Institutional Properties - Service Garage expansion study
Institutional Properties - Recreation plans for Town Hall
Zoning Code amendments - Elimination of occupancy permits, add certificate of zoning compliance, and rewrite amendment section (Chapter 1109).
Landscaping, lighting, and timbering ordinance
Revisit master plan
Nonconforming lot sizes
Revisit north end of town
Design guidelines for non-residential properties



Finally, as a reminder Planning Commission will be attending the upcoming meeting to jointly discuss the medical marijuana legislation and the pending indoor shooting range application. The indoor shooting range applicant will be attending to provide a short presentation of their request.

- 3) I met with the Assistant Service Director, supervisors and the office assistants to begin prioritizing the approved capital budget for 2018. In cooperation with the Finance Director, we are implementing a new internal process of tracking the capital projects to help ensure each of them continue to remain within budget. Our next step is to prioritize (from our vantage point) each project and discuss the results with the Mayor. I encourage all of Council to stop in the Planning office and review the white board in the conference room to see how we are going about the process.

Recommendations/Considerations: Approval of requested legislation

Legislation: County paving program; drainage/roadway material bidding & vehicle/equipment

Director Turk – Finance

Report:

2017 Year End Financial Close

We officially closed out the 2017 financial books on January 11th and opened up the 2018 books.

Income Tax Lawsuit Update

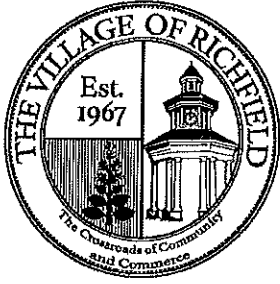
A preliminary injunction was issued on December 21st by Franklin County Court of Common Pleas Judge David Cain regarding the central collection provisions of HB 49 (budget bill). The ordinance reconciliation requirement of Section 803.100(B) of HB 49, regarding the adoption of ORC Sections 718.80-718.95 (central collection) by January 31, 2018, has been stayed until February 24, 2018 or until further order of the Franklin County Common Pleas Court, whichever is sooner.

Recommendations/Considerations: None

Legislation:

A. *Resolution No. 2-2018 Accepting the Proposal of Ohio Plan Risk Management, Inc. for Property and Casualty Insurance Coverage.*

This resolution is submitted for first reading only. We are still awaiting the renewal quote from Ohio Plan, so this resolution will be amended before adoption at the February 20th Council meeting. The current coverage with Ohio Plan expires on February 28th and costs us \$57,980. In 2016, the coverage cost us \$59,805.



Ohio Plan offers the “Plan Advantage Program,” which is a renewal premium credit that may be rewarded to a member on an annual basis based upon the number of consecutive years of membership, loss ratio calculation, and risk management practices. Currently we get a 6.28% credit (\$3,888 credit) and that credit can climb by 1% each year basically with a maximum credit of 20%.

Ohio Plan has been in existence since 1988, and it is a not-for-profit entity that services only public entities. They have approximately 1,000 Ohio public entity clients with over a 90% retention rate. Services are provided from Toledo. The briefing memo provides additional details.

B. Resolution No. 3-2018 Authorizing to Enter into an Agreement with VFIS for Accident, Death, and Dismemberment Insurance Coverage for Firefighters.

This resolution is submitted for first reading only. We are still awaiting the renewal quote from VFIS, so this resolution will be amended before adoption at the February 20th Council meeting. This insurance was picked up primarily to have coverage for the part-time fire employees, and it is extended to the full-time employees also. The current coverage expires on February 28th and costs us \$4,687, the same as 2016 costs. The briefing memo provides additional details.

COMMITTEE REPORTS: None

CAUCUS (See discussion under legislative items)

COMMENTS FROM FLOOR ON AGENDA ITEMS ONLY: None.

ORDINANCES AND RESOLUTIONS

First Readings:

RESOLUTION 2-2018

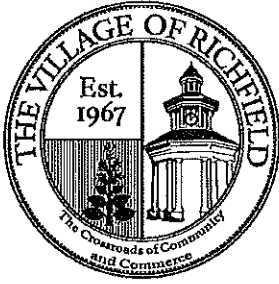
Offered by All of Council

A RESOLUTION ACCEPTING THE PROPOSAL OF OHIO PLAN RISK MANAGEMENT, INC. FOR PROPERTY AND CASUALTY INSURANCE COVERAGE FOR THE VILLAGE AND ITS EMPLOYEES AND DECLARING AN EMERGENCY

RESOLUTION 3-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH VFIS FOR ACCIDENT, DEATH, AND DISMEMBERMENT INSURANCE COVERAGE FOR VILLAGE FIREFIGHTERS AND DECLARING AN EMERGENCY



RESOLUTION 4-2018

Offered by All of Council

A RESOLUTION EXPRESSING THE INTENT OF THE VILLAGE OF RICHFIELD TO SELL PERSONAL PROPERTY INCLUDING BUT NOT LIMITED TO VEHICLES, EQUIPMENT, TOOLS, AND SUPPLIES, WHICH ARE NO LONGER NEEDED FOR PUBLIC USE OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED, BY INTERNET AUCTION IN ACCORDANCE WITH OHIO REVISED CODE SECTION 721.15, AND DECLARING AN EMERGENCY

RESOLUTION 5-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR GRAVEL AND ASPHALT PRODUCTS FOR THE 2018 SUMMER CONSTRUCTION SEASON AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 5-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

MOTION: TO ADOPT RESOLUTION 5-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

RESOLUTION 6-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR FINANCIAL ASSISTANCE THROUGH THE RECREATIONAL TRAILS PROGRAM AND/OR THE CLEAN OHIO TRAILS FUND AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 6-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

MOTION: TO ADOPT RESOLUTION 6-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

RESOLUTION 7-2018

Offered by All of Council

A RESOLUTION DECLARING CERTAIN POLICE VEHICLES SURPLUS PROPERTY AND AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO SELL THE VEHICLES AT AUCTION AND APPLY THE PROCEEDS TO THE CAPITAL IMPROVEMENT FUND AND TO PURCHASE THREE NEW POLICE VEHICLES FROM MONTROSE FORD THROUGH THE



STATE OF OHIO PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

CAUCUS DISCUSSION: Morgan said the three 2014 vehicles that are being replaced will have 100,000 miles on them by the time the new vehicles arrive.

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 7-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

MOTION: TO ADOPT RESOLUTION 7-2018.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

RESOLUTION 8-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) VENTRAC 4500P COMPACT TRACTOR WITH SNOW BLOWER ATTACHMENT AND BROOM ATTACHMENT FROM BAKER VEHICLE THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

CAUCUS DISCUSSION: Frantz said the Ventrac would replace the 20-year-old John Deere. It would be used for this snow removal season and can be used year-round.

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 8-2018.

Moved by Hudak, seconded by Wheeler. YAY: Domanick, Healey, Hudak, Lanford, Lyons and Wheeler. NAY: Kahoe.

MOTION: TO ADOPT RESOLUTION 8-2018.

Moved by Hudak, seconded by Wheeler. YAY: Domanick, Healey, Hudak, Lanford, Lyons and Wheeler. NAY: Kahoe.

RESOLUTION 9-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) KDW1003 HUSTLER UTILITY MDV WITH HITCH KIT FROM BAKER VEHICLE THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY



RESOLUTION 10-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2018 2500HD CHEVY SILVERADO WITH TOWING AND SNOW PLOW PACKAGE FROM SERPENTINI CHEVROLET THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

MOTION: TO SUSPEND SECOND AND THIRD READINGS OF RESOLUTION 10-2018.

Moved by Hudak. No second. Hudak withdrew the motion until Lanford received more information.

RESOLUTION 11-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2018 FORD F-350 4X4 CAB WITH SNOW PLOW PACKAGE FROM MONTROSE FORD THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

Second Reading:

RESOLUTION 1-2018

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH GPD GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PERIOD 2018-2019

Third Readings:

ORDINANCE 62-2017 (as amended 11-8-2017)

Offered by All of Council

AN ORDINANCE AMENDING SECTIONS 153.04, 153.11 AND 153.20 OF THE ADMINISTRATIVE CODE IN THE VILLAGE OF RICHFIELD'S CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

MOTION: TO TABLE ORDINANCE 62-2017 TO THE INACTIVE AGENDA.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

ORDINANCE 65-2017

Offered by All of Council

AN ORDINANCE ENACTING NEW CHAPTER 933, "USE OF PUBLIC RIGHT-OF-WAY BY SERVICE PROVIDERS," OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY



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ORDINANCE 66-2017 (ref. to PZC 120 days on 11-2-17) Offered by All of Council
AN ORDINANCE ENACTING NEW CHAPTER 1183, "MEDICAL MARIJUANA," OF TITLE SEVEN, "ZONING REGULATIONS APPLIED TO ALL DISTRICTS," OF THE CODIFIED ORDINANCES

ORDINANCE 16-2016 Offered by All of Council
AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RICHFIELD FURNACE RUN ASSOCIATES, LLC AND WATER AND SEWER, LLC AND DECLARING AN EMERGENCY

ORDINANCE 17-2016 Offered by All of Council
AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1128 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE, ENTITLED "RCD SINGLE FAMILY CONSERVATION DISTRICT" TO FACILITATE R-3 RESIDENTIAL CONSERVATION DEVELOPMENT

MOTION: TO TABLE ORDINANCES 16-2016 AND 17-2016 TO THE INACTIVE AGENDA.

Moved by Hudak, seconded by Kahoe. Upon roll call, motion passed unanimously.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMENTS FROM THE FLOOR: None.

WORK SESSION: (The work session consisted of a joint session with the Planning and Zoning Commission. Amy Nauer provided the minutes, which are attached as Part II.)

MOTION: TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PROPERTY ACQUISITION.

Moved by Hudak, seconded by Domanick. Upon roll call, motion passed unanimously.



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Executive session began at 9:28 p.m.

Lyons adjourned the meeting at 10 p.m.

Respectfully Submitted:

Jeff Gorman
Clerk of Council

Mike Lyons
Council President

Part III



PLANNING AND ZONING COMMISSION
WORK SESSION WITH COUNCIL MEETING

MINUTES

Tuesday, January 16, 2018 (followed the Council regular meeting)

CALL TO ORDER: Dr. Boester called the meeting to order at 7:22 p.m.

ROLL CALL: Charles Boester, Dan Holahan, Bart Sauer, Ralph Waszak, Mike Wheeler

OTHERS PRESENT: Village Council Members- President of Council Mike Lyons, Vice President of Council Rick Hudak, Gary Domanick, Pat Healy, Jim Kahoe, Barb Lanford, Mike Wheeler, Council Clerk Jeff Gorman; and Mayor Bobbie Beshara, Law Director Hanna, Police Chief Morgan, Fire Chief McLean, Planning & Zoning Director Brian Frantz, Finance Director Sandy Turk, Parks and Recreation Director Ruth Jocek.

OLD BUSINESS:

1. Case No. 37-2017

The enactment of a new Zoning Chapter (1183) titled, "Medical Marijuana" that will be applied to all zoning districts

Mr. Frantz explained that Ordinance 66-2017 was referred to PZC by Council on 11/02/17 and was reviewed at the 11/28/17 Planning Commission meeting. Planning Commission believed it would be best to have a work session with Council— and have Susan Bungard, marijuana law/regulation expert at Walter Haverfield, give a presentation on her experience on this matter thus far. Ms. Bungard took the floor and projected her presentation to the floor. She reviewed the 29-page power point document in detail and provided an electronic copy as well. She mentioned that Ohio will be the most controlled states by the Medical Marijuana Control Board ("MMCP") and has adopted regulations for all aspects of the program. All final rules for the program went into effect on September 8, 2017. At the Federal level, discussions continue to evolve as Attorney General Jeff Sessions reviews policy. Mr. Hanna confirmed the moratorium is good for 6 months and expires May 16, 2018. Dr. Boester commented that he doesn't see any rush on this right now, there's still time to decide or rescind a decision. Mr. Lyons commented that a moratorium is similar to prohibition and that prohibition could be adopted and amended later, or continue to use the moratorium until adoption. Mr. Kahoe asked if those around the table wanted to give a ^{show poll} vote to pass the legislation or to extend the moratorium. Mr. Kahoe voted for the moratorium, as well as Mr. Hudak, Mr. Wheeler, Mr. Domanick, Mr. Lyons, Ms. Healy, Chief Morgan, Chief McLean, Mr. Waszak voted no. Ms. Lanford ^{voted} no opinion, and no for now. Mr. Holahan chose to abstain.
stated she had

2. Case No. 34-2017

An applicant requests to operate an indoor gun range at property located at 2636 Brecksville Rd.

Mr. Frantz explained that the applicants, Milo and Linda Valenti, previously attended a pre-submission conference with Planning Commission on 11/14/2017 to discuss a potential business opportunity, an indoor gun range located at 2626 Brecksville Rd. Mr. Frantz reiterated the impediments that Mr. Valenti faces with this proposed business- an indoor gun range is not a permissible use in the Planning and Zoning code and Village Ordinance 549.08 prohibits the discharge of firearms within the corporate limits of the Village. Mr. and Mrs. Valenti, along with Jonathan Ingalls of Action Target, gave an overview of how the facility would be designed, built, managed and incorporated into the community. The design and materials would be above standard requirements, making it a state of the art facility and superior amongst those in NE Ohio. The

facility would also have training and educational gun handling classes for the public, as well as for local police departments. One of the requirements of the facility would be no outside ammunition, which has to be bought on premises; and prohibited use of heavy artillery or certain caliber guns. The ammunition used is made from recycled materials and will be collected for further recycling. The facility will also have an elite design in its' ventilation and noise barrier systems. Mr. Valenti asked again what are the issues he faces and how he should go forward from here. Mr. Frantz reiterated the impediments and possible paths, which are not guaranteed, but are options that may take time and effort:

An indoor shooting range is not a permissible use in the Planning and Zoning Code. There are two possible scenarios by which the request can be considered. First, the applicant can seek a text amendment to the Zoning Code to permit (or conditionally permit) the requested use. This process takes place in one of three forms: a) motion of the Commission; b) adoption of a resolution by Council; or c) filing of an application with Council by one or more property owners within the area proposed to be changed or affected by the proposed amendment to this Zoning Code.

The other potential option is to seek a use variance from the Board of Zoning Appeals (BZA). This process follows Section 1107.05 of the Planning and Zoning Code, which states that appeals to the BZA may be initiated by any person, firm, or corporation, or by any officer, board, or department of the Village, deeming himself or itself to be adversely affected by any decision or action made by the Zoning Inspector, any administrative officer, including the Commission, regarding matters related to the Code.

In addition to the zoning issues, Village Ordinance 549.08 prohibits the discharge of firearms within the corporate limits of the Village. The Village Council would have to amend the ordinance in order to put a shooting range in the Village.

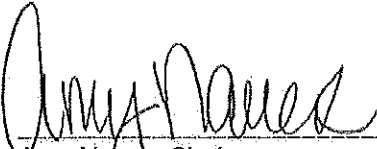
In closing Mr. Lyons stated to Mr. Valenti, Village Council and Planning Commission gave feedback, and that he needs to put it together/take the next steps. Was also suggested that Mr. Valenti look into retaining a Zoning Code Attorney or other counsel to assist him with his business opportunity.

COMMENTS FROM THE PUBLIC: None.

ADJOURNMENT:

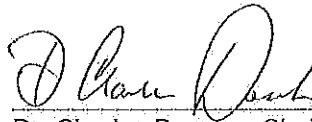
A motion was made by Mr. Waszak to adjourn the meeting. His motion was seconded by Mr. Holahan and the meeting was adjourned at 10:16 p.m.

Respectfully submitted,



Amy Nauer, Clerk
Planning and Zoning Commission

Approved,



Dr. Charles Boester, Chairman
Planning and Zoning Commission