

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, MAY 9, 2016
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

The Chairman, Council President Craig Witherspoon, called the meeting to order and led the Pledge of Allegiance.

PRESENT

Council Members: 3rd Ward – Mary Berges; 1st Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large – Tammy Holtzmeier; 2nd Ward – Dennis McBride; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; Mayor – Bryan Jensen; Parks Director – Diane Corrao; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator - Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Ellen Young

CORRESPONDENCE

Mayor Jensen introduced Tom Dunlap, candidate for Ohio State House of Representatives, District 57. Mr. Dunlap addressed Council, giving some of his personal and political history and briefly stated his political platform.

ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Mr. McBride and seconded by Mr. Butkowski to amend the agenda by adding as Item 22A – Executive Session to Discuss the Sale and Purchase of Municipal Property, and the vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Butkowski to accept the agenda as amended, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, APRIL 25, 2016

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, April 25, 2016, and to approve said minutes as published, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 49-16 – TO ENTER INTO A COOPERATIVE AGREEMENT BETWEEN THE CITY OF AVON AND THE CITY OF NORTH RIDGEVILLE REGARDING ROUNDABOUT AT S.R. 83 AND MILLS ROAD

The Clerk read Ordinance No. 49-16 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF NORTH RIDGEVILLE FOR THE CONSTRUCTION OF A ROUNDABOUT AT STATE ROUTE 83 AND MILLS ROAD AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Ordinance No. 49-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Ordinance No. 49-16, and the discussion was:

Mayor Jensen stated that North Ridgeville passed their agreement the previous week. He said they are anxious to get started and he would let Council know if there would be joint or separate meetings with the public to inform them of the process and get input.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 50-16 – TO AWARD THE BID FOR THE 2016 PAVEMENT MARKING PROGRAM

The Clerk read Ordinance No. 50-16 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE 2016 PAVEMENT MARKING PROGRAM AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 50-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr.

Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 50-16, and the vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 52-16 – REAPPROPRIATIONS

The Clerk read Ordinance No. 52-16 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT APPROPRIATIONS
ORDINANCE NO. 150-15 AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 52-16, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to adopt Ordinance No. 52-16, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 53-16 – TO AMEND THE SPECIAL USE PERMIT FOR ALL-PRO
FREIGHT STADIUM TO INCLUDE AN OUTDOOR BAR AND AWNING ON THE PARTY
DECK

The Clerk read Ordinance No. 53-16 by title only, entitled:

**AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED
TO THE CITY OF AVON AND TO CONSENT TO THE CONSTRUCTION
OF A 368 SQ. FT. OUTDOOR BAR AND AWNING BY THE LESSEE,
BLUE DOG BASEBALL, LLC TO BE LOCATED ON THE
PARTY DECK OF ALL-PRO FREIGHT STADIUM
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 53-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr.

Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 53-16, and the discussion was:

Mrs. Holtzmeier asked when construction would begin and Ms. Fechter said it would begin right away. The Building Department has reviewed the awning, but will review the drawings and construction would begin upon their approval.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 54-16 – TO AMEND THE SPECIAL USE PERMIT FOR VETERANS MEMORIAL PARK TO INCLUDE A 60-FOOT X 80-FOOT FENCE AND TO ADD AN ACCESS DRIVE ONTO CASE ROAD

The Clerk read Ordinance No. 54-16 by title only, entitled:

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO THE CITY OF AVON FOR A PUBLIC PARK LOCATED AT 3701 VETERANS MEMORIAL PARKWAY AND KNOWN AS VETERANS MEMORIAL PARK TO INCLUDE ADDITIONAL IMPROVEMENTS AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 54-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Ordinance No. 54-16, and the discussion was:

Mrs. Holtzmeier asked what will be the status of this project during the Duck Tape Festival. Mr. Cummins stated that the access drive will be available after the festival. Ms. Corrao stated that the fence would be done by the festival and will have no effect on that.

The vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 55-16 – TO AMEND THE SPECIAL USE PERMIT FOR COSTCO GAS STATION TO EXPAND THE CANOPY 2,048 SQUARE FEET AND FOR ADDITIONAL FUEL DISPENSERS

The Clerk read Ordinance No. 55-16 by title only, entitled:

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT FOR COSTCO, A TENANT OF FIRST INTERSTATE PROPERTIES, LTD. (AVON COMMONS) TO CONSTRUCT A 2,048 SQUARE FOOT CANOPY EXPANSION AND ADDITIONAL FUELING DISPENSERS FOR PROPERTY LOCATED AT 35804 DETROIT ROAD AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to suspend the rules and act on Ordinance No. 55-16, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Ordinance No. 55-16, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 56-16 – TO GRANT A SPECIAL USE PERMIT TO BRAD KNOBLE TO CONSTRUCT AND OPERATE A ROADSIDE STAND AT 2970 MOON ROAD

The Clerk read Ordinance No. 56-16 by title only, entitled:

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO BRAD J. KNOBLE TO CONSTRUCT AND OPERATE A ROADSIDE STAND AT 2970 MOON ROAD AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 56-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Butkowski to adopt Ordinance No. 56-16, and the discussion was:

Mr. McBride asked Mr. Cummins if this was an existing operation on Moon Road and Mr. Cummins said he believed it was.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 57-16 – TO GRANT A SPECIAL USE PERMIT TO BRAD KNOBLE AND THERESA KNOBLE TO CONSTRUCT AND OPERATE A ROADSIDE STAND ON DETROIT ROAD

The Clerk read Ordinance No. 57-16 by title only, entitled:

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
TO BRAD J. KNOBLE AND THERESA KNOBLE TO CONSTRUCT
AND OPERATE A ROADSIDE STAND ON DETROIT ROAD
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Ordinance No. 57-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Fischer to adopt Ordinance No. 57-16, and the discussion was:

Mr. McBride asked Mr. Cummins about safety issues and traffic. Mr. Cummins reiterated statements he made during the Work Session the previous week regarding traffic flow in and out of this location: 10,000 cars per day travel along Detroit Road and this is a commercial-type use with none of the commercial design aspects, including setbacks and parking. The cars will be parked relatively close to Detroit Road; there will not be an attendant present; undefined parking could impact the travel way along Detroit Road. As he stated the previous week, he had safety concerns regarding this particular facility.

Mr. Fischer asked if there was anything similar in operation that this could be compared to. Mr. Witherspoon said there are stands on Detroit Road that have been grandfathered in. Some have more space for parking along this 45 MPH road. Mr. Fischer said he meant similar regarding size.

The applicant, Theresa Knoble, 2970 Moon Road, stated that there are other stands on Moon Road. She previously gave Council information showing that the stand would be set back twenty five feet from the finished part of Detroit Road. They would put signage indicating the exit and entrance to the stand. Regarding the stands that have been grandfathered in, if the concern was safety that should be consistent. The two stands near this property have been functioning fine, with no traffic incidents. There have been extra precautions taken by them for this stand and the legislation includes a review in a year. If it does not function well, the City could re-evaluate it at that time.

Mr. McBride said he is not a surveyor, but this may be set back 600-feet from the pavement, but the right-of-way is wider than that. They have already planted the property without approval for the stand and he said he will not be voting in favor of this. He said this looks dangerous to him. Mr. Fischer said he drove around and most of the properties look like they have ample space to pull in and turn around; even the other two stands the Knobles have. He pulled into the one on Detroit and it felt it was right there on the street.

Ms. Knoble said they brought the cart (with the stand) to the location to measure the frontage, but were told to take it down because it had not been authorized. The plan is for a horseshoe drive around the back of the cart. She said they will plant the land with or without approval. They will farm the land; they did not take it upon themselves to proceed without approval. She said they would move the parking and stand area into where the planting is to work with the City.

Mrs. Holtzmeier stated, for the record, that this was reviewed by Planning Commission and received a negative recommendation.

Ms. Knoble added that she met with Mr. Gasior prior to the Planning Commission and was told that if she did not remove her application for the Detroit Road stand, her other two stands might be subject to possible restrictions. Mr. Gasior said he had not even seen the stand, because the City of Avon did not want to entertain the idea of another stand on Detroit Road, the decision had been made before the process. She felt she had been treated unfairly. She had apologized for her behavior at the first meeting, but she was reacting to what she felt was happening to her. Ms. Knoble said she wanted this information on the record.

The vote was: Ms. Berges, “no”; Mr. Butkowski, “no”; Mr. Fischer, “no”; Mrs. Holtzmeier, “no”; Mr. McBride, “no”; Mr. Radcliffe, “no”; Mr. Witherspoon, “no”.

The vote was 0 for and 7 against and the Chairman declared the motion defeated.

ORDINANCE NO. 58-16 – TO AMEND SECTION 1051.04 OF THE CODIFIED ORDINANCES TO ADD SECTION 1051.04(h) CONCERNING RIPARIAN SETBACKS ON PARCELS LESS THAN TWO ACRES

The Clerk read Ordinance No. 58-16 by title only, entitled:

AN ORDINANCE TO AMEND SECTION 1051.04 OF THE

**CODIFIED ORDINANCES OF THE CITY OF AVON TO ADD
SECTION 1051.04(h) CONCERNING RIPARIAN SETBACKS
ON PARCELS LESS THAN TWO ACRES IN SIZE
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the first of three readings of Ordinance No. 58-16.

ORDINANCE NO. 59-16 – TO AMEND SECTION 1464.25 OF THE CODIFIED
ORDINANCES TO INCLUDE SUBSECTION (L) REGARDING COMPENSATORY
STORAGE REQUIREMENTS

The Clerk read Ordinance No. 59-16 by title only, entitled:

**AN ORDINANCE AMENDING SECTION 1464.25 OF THE
CODIFIED ORDINANCES OF THE CITY OF AVON TO INCLUDE
A NEW SUBSECTION (L) AS IT PERTAINS TO
COMPENSATORY STORAGE REQUIREMENTS
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the first of three readings of Ordinance No. 59-16.

ORDINANCE NO. 60-16 – GRANTING FINAL CONSENT TO ODOT TO PERFORM
RESURFACING ON STATE ROUTE 83

The Clerk read Ordinance No. 60-16 by title only, entitled:

**AN ORDINANCE GRANTING FINAL CONSENT TO THE
DIRECTOR OF TRANSPORTATION TO PERFORM RESURFACING
ON STATE ROUTE 83 FROM DETROIT ROAD TO U.S. 6 INCLUDING
RESURFACING ON APPROXIMATELY 1.52 MILES OF ROAD
LOCATED WITHIN THE AVON CORPORATION LIMITS
PID NO. 92880 AND PROJECT NAME: LOR-SR 0083 17.94
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to suspend the rules and act on Ordinance No. 60-16, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 60-16, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-8-16 – TO RESCHEDULE THE MEETING DATE OF THE SPECIAL ASSESSMENT EQUALIZATION BOARD

The Clerk read Resolution No. R-8-16 by title only, entitled:

**A RESOLUTION TO AMEND RESOLUTION NO. R-6-16
TO RESCHEDULE THE MEETING DATE OF THE AVON
ASSESSMENT EQUALIZATION BOARD
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Resolution No. R-8-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Resolution No. R-8-16, and the discussion was:

Mr. McBride asked why this was rescheduled and Mr. Gasior explained that the parties who filed objections were still trying to obtain experts and it was moved to May 24, 2016 to accommodate them. He said he met with one of the property owners and would have a meeting with the other, so the Equalization Board may not even be necessary.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-9-16 – TO DECLARE THE NECESSITY TO APPROPRIATE AN INTEREST IN LAND FROM DOCKSIDE RESTAURANT, LLC, REGARDING RELOCATION OF INTERSECTION OF STATE ROUTE 611 AND CHESTER ROAD

The Clerk read Resolution No. R-9-16 by title only, entitled:

**A RESOLUTION DECLARING IT NECESSARY TO APPROPRIATE
AN INTEREST IN LAND FROM DOCKSIDE RESTAURANT GROUP LLC, d.b.a.
WOOD AND WINE RESTAURANT (09 WDV1, WDV2, TV1, TV2)
FOR THE PURPOSE OF RELOCATING THE INTERSECTION
OF STATE ROUTE 611 AND CHESTER ROAD IN THE CITY OF AVON
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-9-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr.

Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-9-16, and the vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-10-16 – TO ADVERTISE FOR BIDS FOR PHASE TWO OF THE 2015 ASPHALT ROAD PROGRAM

The Clerk read Resolution No. R-10-16 by title only, entitled:

**A RESOLUTION TO ADVERTISE FOR BIDS FOR THE
2015 ASPHALT ROAD PROGRAM PHASE 2 – JAYCOX ROAD WIDENING
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to suspend the rules and act on Resolution No. R-10-16, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-10-16, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-11-16 – TO AUTHORIZE A COOPERATIVE AGREEMENT WITH ODOT FOR THE PURCHASE OF ROAD SALT

The Clerk read Resolution No. R-11-16 by title only, entitled:

**A RESOLUTION TO AUTHORIZE THE MAYOR TO PARTICIPATE
IN A COOPERATIVE PURCHASING PROGRAM
WITH THE OHIO DEPARTMENT OF TRANSPORTATION,
WINTER CONTRACT (018-17) FOR ROAD SALT
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Resolution No. R-11-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-11-16, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 51-16 – TO AUTHORIZE AN AGREEMENT WITH SUEZ ENERGY RESOURCES TO SUPPLY ELECTRIC SERVICE TO VARIOUS CITY PROPERTIES

The Clerk read Ordinance No. 51-16 by title only, entitled:

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH GDF SUEZ ENERGY RESOURCES, NA, INC. (“SUEZ”) TO SUPPLY ELECTRIC SERVICE TO VARIOUS CITY PROPERTIES

The Chairman declared this to be the first of three readings of Ordinance No. 51-16.

REPORTS AND COMMENTS

Mayor Jensen reported that there had been Police Officer and Fire Fighter Swearing In Ceremonies earlier that evening, which had been an honor for him. He also announced that the Lake Erie Crushers’ have their Home Opener that Thursday, May 12, 2016. He said he hoped everyone could make it; with new ownership, they will see good changes.

Ms. Berges thanked a third grade social studies class for their letters. She said it is a nice way for them to have exposure to City Hall.

Mr. Butkowski asked to have another line item added to the upcoming Finance Committee Meeting, to be held on May 16, 2016. He requested the addition of a line item to the 2017 budget proposal.

Mr. Fischer congratulated the new additions to the safety forces. He added a belated Happy Mothers’ Day.

Mrs. Holtzmeier said she was pleased about the agreement with North Ridgeville for the roundabout. She said there are more and more being constructed and Avon will enjoy the traffic flow after people get used to it.

Ms. Corrao offered a reminder that the City of Avon Safety Fair would be Saturday, May 14, 2016, from noon to 4:00 P.M. throughout the Aquatic Center and the Police and Fire Stations. There was to be free food, contests and items to be given away. She added that if anyone has questions about parks in the third grade letters they receive to feel free to pass those along to her. She said sometimes the children have good suggestions.

Mr. Farmer said there may be a situation that will have to be addressed in the immediate future regarding the bank sloughing into the French Creek along Jaycox Road. Mayor Jensen said that will be part of the upcoming Finance Committee meeting; part of that area will be an emergency soon.

EXECUTIVE SESSION

A motion was made by Mr. McBride and seconded by Ms. Berges to enter into Executive Session to discuss the sale and purchase of municipal property, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RECONVENE

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to reconvene the Regular Meeting of Council, and the vote was unanimous in favor.

ADJOURN

A motion was made by Mr. McBride and seconded by Mr. Butkowski to adjourn the Regular Meeting of Council, and the vote was unanimous in favor.

