

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, MAY 16, 2016
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
IMMEDIATELY FOLLOWING THE WORK SESSION**

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 – Mike Farmer; Planning and Economic Development Coordinator - Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Ellen Young; Clerk of Council – Barbara Brooks

OATH OF OFFICE FOR BARBARA BROOKS, NEW CLERK OF COUNCIL

A motion was made by Mr. Witherspoon and seconded by Mr. McBride to appoint Barbara Brooks as the Clerk of Council for the City of Avon, 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.

Law Director John Gasior administered the Oath of Office to the new Avon Clerk of Council Barbara Brooks

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

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

**AN ORDINANCE TO AMEND §1051.04 OF THE CODIFIED ORDINANCES OF THE
CITY OF AVON TO ADD §1051.04(h) CONCERNING RIPARIAN SETBACKS ON
PARCELS LESS THAN TWO ACRES IN SIZE
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. 58-16, 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. Fischer and seconded by Ms. Berges to adopt Ordinance No. 58-16, 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. 59-16 - TO AMEND §1464.25 OF THE CODIFIED ORDINANCES TO INCLUDE SUBSECTION (L) RE: COMPENSATORY STORAGE REQUIREMENTS

Clerk Ellen Young 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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 59-16, 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. 59-16, 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. 64-16 – TO AWARD A BID, PURSUANT TO ORC 735.051, RE: FRENCH CREEK RETAINING WALL ON JAYCOX ROAD

Clerk Ellen Young read Ordinance No. 64-16 by title only, entitled:

AN ORDINANCE TO AWARD A BID PURSUANT TO OHIO REVISED CODE §735.051 TO CONSTRUCT/REPAIR THE FRENCH CREEK RETAINING WALL ON JAYCOX 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. 64-16, 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. 64-16, 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.

ADJOURN

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adjourn the Special Meeting of Council, 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.