

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, OCTOBER 24, 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 – Barbara Brooks

ABSENT

None

CORRESPONDENCE

Ms. Brooks updated Council that she has received 8 applications for consideration on the Charter Review Council to date.

ADDITIONS/DELETIONS TO THE AGENDA

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to amend the agenda by adding as item 9a Executive Session to Discuss the Possible 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 TUESDAY, OCTOBER 11, 2016

A motion was made by Mr. McBride and seconded by Mr. Fischer to dispense with the reading of the minutes of the Regular Meeting of Council held Tuesday, October 11, 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.

RESOLUTION NO. R-28-16 – ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

The Clerk read Resolution No. R-28-16 by title only, entitled:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-28-16, 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-28-16, 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.

RESOLUTION NO. R-29-16 – IN SUPPORT OF LORAIN COUNTY ISSUE 35 (TAX LEVY FOR DRUG ADDICTION SUPPORT SERVICES)

The Clerk read Resolution No. R-29-16 by title only, entitled:

A RESOLUTION IN SUPPORT OF LORAIN COUNTY ISSUE 35 AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Resolution No. R-29-16, 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. Radcliffe and seconded by Ms. Berges to adopt Resolution No. R-29-16, 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-30-16 – WAIVING CERTAIN FEES FOR THE CONSTRUCTION OF A RESIDENTIAL HOME IN REDTAIL SUBDIVISION BEING BUILT BY CLEVELAND CUSTOM HOMES FOR THE BENEFIT OF ST. JUDE’S CHILDREN’S RESEARCH HOSPITAL

The Clerk read Resolution No. R-30-16 by title only, entitled:

A RESOLUTION WAIVING CERTAIN FEES FOR THE CONSTRUCTION OF A RESIDENTIAL HOME IN REDTAIL SUBDIVISION BEING BUILT BY CLEVELAND CUSTOM HOMES FOR THE BENEFIT OF ST. JUDE’S CHILDREN’S RESEARCH HOSPITAL AND DECLARING AN EMERGENCY

Mr. Gasior inquired of Mr. Logan if an amount was given from the Building Department regarding the fees. Mr. Logan replied no, because Cleveland Custom Homes has yet to provide plans. Mr. Gasior felt in light of that information, he would recommend first reading only of Resolution No. R-30-16. Mr. Logan agreed. Mr. Gasior said the amount could be inserted in the body of the ordinance once it is known and could be acted on at a later date. Mr. Logan stated he would be speaking with Mr. Crawford in the next day or two and he believed Cleveland Custom Homes is getting closer to bringing their plans in to the City and once they do, we will have the amount for the legislation.

The Chairman declared this to the first reading of Resolution No. R-30-16.

REPORTS AND COMMENTS

Mayor Jensen stated they have applied to the Lorain County Health Department for a grant for an inclusive play area by the aquatic facility. He said they are considering the area in front of the stone parking lot that would be blacktopped this coming spring to prepare for a nice play area. Mayor Jensen indicated the plans would come before Council for their consideration at some point if approved for those funds. He said they would be partnering with the French Creek Foundation as well as the Library and it would be a boost to that area. Mayor Jensen reminded Council that on Tuesday, November 1st at 6:30 pm there would be a meeting at Willoway Nursery regarding the roundabout on SR83. He said they have talked to the Lorain County Engineer and we are right on schedule for getting approved for that money and Mr. Cummins would elaborate on that topic during his comments. Mayor Jensen said he would send a reminder out to Council of the meeting. He indicated this was the solution to have just one meeting and the ones most concerned about the roundabout are those that live nearby.

COUNCIL MEMBERS:

Ms. Berges, Ward 3, stated that tonight on Channel 3 at 11:00 pm there would be a report about safe injection sites for heroin users. She said it is an approach that other countries have used that is being talked about here in the United States and it may be of interest to hear an

alternative to some of the other approaches taken in the past. Ms. Berges wished everyone a Happy Halloween and Go Tribe!

Mr. Butkowski, Ward 1, commended the Administration and individuals involved in the paving of S.R.83 south and north of Detroit Road. He said it is a large job being done at night with minimal disruption to a major road throughout the City. Mr. Butkowski said he has not heard of very many having issues with the paving north of Detroit Road also on S.R. 83. He congratulated them by saying Nice Job! Mr. Butkowski stated he would like to keep that model for future road improvement to be done at night to maintain the traffic flow throughout the City. He thanked those involved.

Mr. Fischer, At Large, said he has received several calls in the last week requesting turn arrows at Jaycox and Detroit Roads. He inquired if that has been discussed or if a decision has been made regarding that issue.

Mayor Jensen advised this morning the decision was made to install those turn arrows on the traffic lights and they would be installed within the next two weeks. He said they had questions since the study did not warrant turn arrows be installed. Mayor Jensen stated that ODOT's response was that it was our decision if we wished to install them and in talking with Mr. Cummins he advised that as long as the light was warranted, even with the addition of the turn signals, it does not change our funding. He said the turn arrows will be installed on all four signals although originally it was discussed they would only be installed east and westbound. Mayor Jensen said the only tweaking they would have to do is how much time we allow for the turns so as not to back up traffic. He felt if we can get 2 or 3 cars cleared on the turn it would make a big difference. Mayor Jensen indicated they would be monitoring it to see if traffic is still backing up or not.

Mr. Fischer thanked him and said that was perfect timing.

Mayor Jensen said they were looking into this issue weeks and months before, but they have received some letters and calls and the decision was made this morning to go ahead and install those turn arrows on the traffic signals at that intersection. He said those who live in that area have said it is almost impossible to make that left turn until the light turns yellow and contrary to ODOT's belief that it is okay to go through a yellow light, we would rather see it on a green light.

Mr. Farmer said they would be meeting in the morning to discuss what all is involved to get it completed.

Mrs. Holtzmeier, At Large, had no comments.

Mr. McBride, Ward 2, stated Halloween/Trick or Treat is coming up. Go Tribe tomorrow night! He thanked the Administration for helping with a couple of issues at Avenbury. Mr. McBride said he also wanted to ask about left turn arrows at Chester and Jaycox as there are times when that area backs up and you cannot get 2 or 3 vehicles through the light. He agreed the area is improved since the road has been widened, but he felt the left turn arrows would be a nice addition.

Mr. Radcliffe, Ward 4, had no comments.

Mr. Witherspoon, Council President, had no comments.

ADMINISTRATION:

Ms. Corrao, Parks and Recreation Director, had no comments.

Mr. Cummins, City Engineer, advised regarding the roundabout that the Mayor's comments were correct. He said the OPWC program and the county engineers of the district that includes Lorain, Medina and Huron counties met last week to preliminary score the projects and the roundabout project received a score and ranked for funding. Mr. Cummins stated that funding will get approved by the local district of OPWC at a meeting in December and then be forwarded to Columbus for processing. He said everything is on track as of today.

Mr. Farmer, Service Director, advised he wanted to make Council aware that Columbia Gas is performing some regulatory work tonight at the intersection of Schwartz and Nagel Roads. He said for those traveling that area Schwartz Road heading eastbound from Jaycox Road will be one lane and the work should be complete by morning. Mr. Farmer stated letters were sent to the residents in the area that were affected. He added Go Tribe!

Ms. Fechter, Economic Development/Planning Coordinator, advised this past Saturday Lake Shore Ballet held their Grand Opening/Fall Performance located on Jaycox Road. She said a lot of people do not think of that area for a ballet studio, but it turned out beautiful. Ms. Fechter stated the owners took an industrial property and added beautiful décor and a wonderful group of students and held a wonderful recital on Saturday afternoon. She advised on Saturday evening, Judy Kean of Creative Space, Art & More had an opening reception. Ms. Fechter said Ms. Kean has an Art Gallery in the Industrial Parkway and she held "Art by Doctors" where over 15 doctors participated with their art in the show. She stated on Saturday night the opening was really nice and there will be another one held this Wednesday and the following Wednesday nights from 5-8 pm with some of the proceeds going to the Lorain Free Clinic.

Mr. Gasior, Law Director, said Go Tribe!

Mr. Logan, Finance Director, had no comments.

AUDIENCE:

No comments were made from the audience.

EXECUTIVE SESSION

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to enter into Executive Session for the purpose of discussing the possible purchase of municipal property, 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.

RECONVENE

A motion was made by Mr. McBride and seconded by Ms. Berges to Reconvene the Regular Meeting of Council, 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.

ADJOURN

A motion was made by Mr. McBride and seconded by Mr. Fischer to adjourn the Regular Meeting of Council, 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.