

**PUBLIC HEARING
MONDAY, JULY 11, 2022**

7:25 p.m. – ORDINANCE NO. 71-22 - AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969 COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 12.71 ACRE PARCEL OF LAND LOCATED AT 2295 NAGEL ROAD (EASTSIDE OF NAGEL ROAD, SOUTH OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD), PERMANENT PARCEL NO. 10-04-00-027-101-196 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

Council President Brian Fischer opened the Public Hearing for comments. There being no comments the Public Hearing was closed at 7:26 p.m.

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, JULY 11, 2022
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

The Chairman, Council President Brian Fischer, called the meeting to order and led in the Pledge of Allegiance.

PRESENT:

Council Members: 1st Ward – Jennifer Demaline; Council-at-Large – Tammy Holtzmeier; 2nd Ward – Dennis McBride; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; Council-at-Large and Council President Brian Fischer; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director - William Logan; Clerk of Council – Barbara Brooks

ABSENT: 3rd Ward – Anthony Moore; Safety/Public Service Director – Duane Streator

ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to amend the agenda by removing item #9 – Ordinance No. 72-22 – Authorizing a Final Plant and Subdivider’s Agreement for Red Tail Subdivision No. 17, for further review, and the vote was: Mrs. Demaline, “yes; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

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

The vote was 6 for and 0 against and the Chairman declared the motion passed.

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, JUNE 20, 2022

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Work Session of Council held Monday, June 20, 2022, and to approve said

minutes as published, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, JUNE 27, 2022

A motion was made by Mr. McBride and seconded by Mrs. Demaline to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, June 27, 2022, and to approve said minutes as published, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

MAYORAL APPOINTMENT OF KURT SCHATSCHEIDER TO THE BOARD OF ZONING AND BUILDING APPEALS

Mayor Jensen advised Mr. Schatschneider previously served on the Board of Zoning and Building Appeals and he stepped down for some personal reasons. He said with Mr. Klingshirn’s passing and to help make the transition as seamless as possible, Mr. Schatschneider has agreed to serve the unexpired term held by Mr. Klingshirn. Mayor Jensen stated he appreciates Mr. Schatschneider stepping forward to help the City by being a member of the Board. He advised Mr. Schatschneider is certainly qualified and did a great job serving in this capacity in the past and he welcomed Mr. Schatschneider, but it is with some sadness that this appointment is necessary due to Mr. Klingshirn’s passing. Mayor Jensen said he would appreciate Council’s concurrence for his appointment.

Mayor Jensen announced his appointment of Kurt Schatschneider to the Board of Zoning and Building Appeals to fill the unexpired term of Bruce Klingshirn ending December 31, 2026. Mr. Klingshirn passed away unexpectedly on June 26, 2022.

Per Charter Article VII, Section 1(a), this appointment requires the concurrence of two-thirds (5 of 7) of the membership of the legislative authority.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to concur with the Mayor’s appointment of Kurt Schatschneider to the Board of Zoning and Building Appeals for the unexpired term ending December 31, 2026; and the vote was: Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 71-22 – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969 COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 12.71 ACRE PARCEL OF LAND LOCATED AT 2295 NAGEL ROAD (EASTSIDE OF NAGEL ROAD, SOUTH OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD), PERMANENT PARCEL NO. 10-04-00-027-101-196 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

The Clerk read Ordinance No. 71-22 by title only, entitled:

**AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969
COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF
AVON, OHIO, AS AMENDED, REZONING THE 12.71 ACRE PARCEL OF
LAND LOCATED AT 2295 NAGEL ROAD (EASTSIDE OF NAGEL ROAD,
SOUTH OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD),
PERMANENT PARCEL NO. 10-04-00-027-101-196 FROM R-1 SINGLE-FAMILY
RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT**

The Chairman declared this to be the third of three readings of Ordinance No. 71-22.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 71-22, and the vote was: Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

**ORDINANCE NO. 83-22 – AMENDING SECTION 1244.12(d)(5)(A), (D)(3) and (D)(4) OF
THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING FINAL PLAT
SUBMISSION REQUIREMENTS FOR ADDRESS MAPS**

The Clerk read Ordinance No. 83-22 by title only, entitled:

**AN ORDINANCE AMENDING SECTION 1244.12(d)(5)(A), (D)(3) and (D)(4) OF THE
CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING FINAL PLAT
SUBMISSION REQUIREMENTS FOR ADDRESS MAPS**

The Chairman declared this to be the second of three readings of Ordinance No. 83-22. A Public Hearing will be held on Monday, August 8, 2022 at 7:25 p.m.

**ORDINANCE NO. 91-22 – TO ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY
GEIS AT CHESTER, LLC IN THE VICINITY OF 35500 CHESTER ROAD**

The Clerk read Ordinance No. 91-22 by title only, entitled:

**AN ORDINANCE TO ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY GEIS
AT CHESTER, LLC IN THE VICINITY OF 35500 CHESTER ROAD
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. 91-22, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 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. 91-22, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 92-22 – AMENDING §256.98 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO REVISE THE CLASSIFICATION SPECIFICATION FOR THE POSITION OF DIRECTOR OF FINANCE

The Clerk read Ordinance No. 92-22 by title only, entitled:

AN ORDINANCE AMENDING §256.98 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO REVISE THE CLASSIFICATION SPECIFICATION FOR THE POSITION OF DIRECTOR OF FINANCE 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. 92-22, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

The vote was 6 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. 92-22, and the vote was: Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 93-22 – TO ESTABLISH A RANGE OF COMPENSATION FOR THE POSITION OF DIRECTOR OF FINANCE FOR THE CITY OF AVON

The Clerk read Ordinance No. 93-22 by title only, entitled:

AN ORDINANCE TO ESTABLISH A RANGE OF COMPENSATION FOR THE POSITION OF DIRECTOR OF FINANCE FOR THE CITY OF AVON 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. 93-22, and the vote was: Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 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. 93-22, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-22-22 – IN SUPPORT OF AND AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS GRANT PROGRAM FOR THE EXPANSION OF EVERY CHILD’S PLAYGROUND AT THE AVON AQUATIC CENTER

The Clerk read Resolution No. R-22-22 by title only, entitled:

**A RESOLUTION IN SUPPORT OF AND AUTHORIZING THE MAYOR
TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN
THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS
GRANT PROGRAM FOR THE EXPANSION OF EVERY CHILD’S
PLAYGROUND AT THE AVON AQUATIC CENTER
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-22-22, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 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-22-22, and the discussion was:

Mayor Jensen pointed out a rendering provided to Council Members of the overall idea of what they want Every Child’s Playground to look like. He said this is the ECP expansion, which is one piece of playground equipment for a little over \$300,000 and there are some other pieces that go along with it. Mayor Jensen stated there would be a turf area to connect and bring the overall look together. He advised without this grant he was not certain that they would move forward with this project. Mayor Jensen said if they are awarded \$100,000 then the City would put in \$200,000 in next year’s budget, but they are looking for some help from ODNR to move this project forward. He stated the Recreation Coordinator, Ms. Harasimchuk, would like to add a pavilion and some other pieces to go along with that. Mayor Jensen advised this piece of playground equipment would be that Wow! piece they always talk about having in this playground and it will be between 15-16 feet tall with different ropes and climbing areas and other areas that will connect in with different pieces of equipment.

Mr. Fischer inquired as to when they anticipate hearing about whether the grant will be awarded.

Mr. Cummins advised typically for this grant program, they apply in May, and they hear in November whether they will be awarded the funding. He said this year they postponed the application date until the end of July and so he imagines it will be until after the first of the year before they hear.

And the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-23-22 – SUBMITTING TO THE ELECTORS OF THE CITY OF AVON THE QUESTION OF REZONING APPROXIMATELY 12.71 ACRES OF LAND LOCATED AT 2295 NAGEL ROAD (EAST SIDE OF NAGEL ROAD, SOUTH OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD), PERMANENT PARCEL NO. 04-00-027-101-196 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT AT THE NOVEMBER 8, 2022 GENERAL ELECTION PURSUANT TO THE AVON CITY CHARTER, ARTICLE VII, SECTION 2(e)

The Clerk read Resolution No. R-23-22 by title only, entitled:

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF AVON
THE QUESTION OF REZONING APPROXIMATELY 12.71 ACRES OF LAND
LOCATED AT 2295 NAGEL ROAD (EAST SIDE OF NAGEL ROAD, SOUTH
OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD), PERMANENT
PARCEL NO. 04-00-027-101-196 FROM R-1 SINGLE-FAMILY
RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT
AT THE NOVEMBER 8, 2022 GENERAL ELECTION PURSUANT
TO THE AVON CITY CHARTER, ARTICLE VII, SECTION 2(e)
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-23-22, and the vote was: Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. Mc Bride and seconded by Mr. Radcliffe to adopt Resolution No. R-23-22, and the discussion was:

Mr. Gasior advised for the record he wanted to let Council know that now that they have passed the Ordinance to rezone, Ordinance No. 71-22, that this Resolution is to place it on the ballot. He said obviously if the voters do not approve the rezoning, then the rezoning is dead. Mr. Gasior clarified that Council’s action approving the rezoning is meaningless until the voters affirm Council’s act.

And the vote was: Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

**RESOLUTION NO. R-24-22 – SUBMITTING TO THE ELECTORS OF THE CITY OF AVON
THE QUESTION OF THE RENEWAL OF AN EXISTING 1.90 MILLS TAX LEVY FOR THE
PURPOSE OF STREET MAINTENANCE AND REPAIRS AND FOR OTHER PURPOSES SET
FORTH IN OHIO REVISED CODE SECTION 5705.19(G)**

The Clerk read Resolution No. R-24-22 by title only, entitled:

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF AVON
THE QUESTION OF THE RENEWAL OF AN EXISTING 1.90 MILLS TAX LEVY
FOR THE PURPOSE OF STREET MAINTENANCE AND REPAIRS AND FOR OTHER
PURPOSES SET FORTH IN OHIO REVISED CODE SECTION 5705.19(G)
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-24-22, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 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-24-22, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-25-22 – REQUESTING AUTHORIZATION FOR THE MAYOR ON BEHALF OF THE CITY OF AVON, TO PARTICIPATE IN THE H-GAC COOPERATIVE PURCHASING PROGRAM

The Clerk read Resolution No. R-25-22 by title only, entitled:

A RESOLUTION REQUESTING AUTHORIZATION FOR THE MAYOR ON BEHALF OF THE CITY OF AVON, TO PARTICIPATE IN THE H-GAC COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-25-22, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; McBride, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. Mc Bride and seconded by Mr. Radcliffe to adopt Resolution No. R-25-22, and the vote was: Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

REPORTS AND COMMENTS

MAYOR JENSEN advised the bids for the installation of restrooms in the three parks and the cost estimates were around \$100,000 each and the bids came in at \$250,000 for each restroom and the Administration will be recommending Council reject the one bid received. He said he is working with Mr. Gasior and Mr. Cummins to come up with a plan to see if they can still install the restrooms at a reasonable cost. Mayor Jensen stated it becomes difficult when the pricing is such due to the current economy, but they do not believe that it is a fair price although there may not be a whole lot that could be done. He advised he would update Council on how they planned to move forward with that project, and he will also be working with the State legislators to see if some things can be changed regarding the bid process. Mayor Jensen said they are required to go out for bids when the cost is \$50,000 and that handcuffs the Administration in terms of what they can do. He stated it is very challenging and disappointing to receive a bid that far exceeds the expected cost. Mayor Jensen advised they would have another plan by August.

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1, reminded Council that there is a Service Committee meeting scheduled for 6:30 pm on August 1st to discuss the 2022 Sidewalk Program and she asked the Clerk to add the 2023 Sidewalk Program to that agenda for discussion as well. She said she looks forward to the discussion at that meeting.

MRS. HOLTZMEIER, AT LARGE, wished everyone a good break.

MR. McBRIDE, WARD 2, commented that it would be nice if our Avon Police Officers, who sometime run radar on I-90, would also issue tickets for slow drivers in the left lane with their cell phones at their ear that are holding up traffic.

Mr. MOORE, WARD 3, was absent.

MR. RADCLIFFE, WARD 4, inquired about the repaving project on Jaycox Road if it was on track as it seemed to be moving along smoothly.

Mr. Cummins advised today the contractors completed the intermediate course. He said they would start doing some driveway aprons and those kinds of things. Mr. Cummins stated it will probably be a week or two before the contractors put the final coat down as there are a number of driveways along the way. He advised but the project is moving right along, and the contractors are doing a nice job.

Mr. Radcliffe advised he and other residents agree that the project appears to be moving along very well. He thanked Mr. Cummins for the update.

MR. WITHERSPOON, AT LARGE, had no comments.

MR. FISCHER, AT LARGE, reminded Council that their next meeting will be on Monday, August 1, 2022 and he hoped they enjoy the next couple of weeks off from Council.

Mr. Fischer advised he and Mr. Cummins spoke a couple of weeks ago about the engineering for Avon Road and guide wires were moved sooner than they thought, and he asked for an update from Mr. Cummins.

Mr. Cummins advised he has been in discussions with Mr. Gasior about getting a Resolution of Necessity before Council. He said to his understanding it will be an assessment project and he noted there is one property owner on Avon Road that the assessment amount would be substantial, and that property owner may have an issue with how much the value of the land is currently showing for that improvement. Mr. Cummins stated they will be working through those issues and would be getting something to Council hopefully in August.

Mr. Fischer suggested the Legal Committee begin discussions soon regarding the livestock moratorium so they need to figure out a date and time to set that committee meeting.

Mr. McBride agreed and advised they should begin having hearings soon.

Mr. Fischer advised they can discuss it with Mr. Gasior over break.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, advised they will be getting started with the Shakespeare Lane resurfacing project potentially as early as next week. He said he believes that the message board was to be put in place today, but he has not been by there to confirm that.

Mr. Cummins advised also yet this month, he has been told that both the Moore Road resurfacing as well as the State Route 83 south of Detroit Road resurfacing will be getting underway. He said those are both ODOT projects and he does not have specific start dates, but to his knowledge the contracts have been awarded and they are getting ready to proceed in the next couple of weeks.

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR, had no comments.

MR. GASIOR, LAW DIRECTOR, advised Pete Restivo and Mary Khouri are both in the audience tonight and he would like to thank them both. He thanked Mr. Restivo for his indulgence on the public records request as Mr. Cummins was out of town last week and one of the City's outside Counsel was also out of town. Mr. Gasior thanked Ms. Khouri because under these circumstances the City was not able to notify Council and give them advice on how to act on Red Tail Subdivision No. 17 until they completed that process, and he appreciated her indulgence to gratefully allow Council to remove Ordinance No. 72-22 from tonight's agenda. He said he appreciates her understanding in that fact that they had to move Red Tail #17 to another meeting, in August. Mr. Gasior stated under the circumstances with the Council break as typically it would have only been another week, but with the break it is going to be three weeks and they appreciate her understanding and to Mr. Restivo as well. He advised he is hoping to get together with Mr. Restivo's counsel and fulfill the public records request and he again thanked them both.

MR. LOGAN, FINANCE DIRECTOR, had no comments.

MR. STREATOR, SAFETY/PUBLIC SERVICE DIRECTOR, was absent.

AUDIENCE:

There were no comments from the audience members.

ADJOURN: 7:56 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adjourn the Regular Meeting of Council, and the vote was: Mrs. Demaline, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Fischer, "yes".

The vote was 6 for and 0 against and the Chairman declared the motion passed.